



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 8764 OF 2026**

***G. Mohan***

.... ***Petitioners***

Mr. Subash Chandra Puspalaka, Advocate

*-versus-*

***State of Odisha and others***

.... ***Opp. Parties***

Mr. Swayambhu Mishra,  
Additional Standing Counsel

**CORAM:**

**JUSTICE K.R. MOHAPATRA**

**JUSTICE SANJAY KUMAR MISHRA**

**ORDER**

**31.03.2026**

**Order No.**

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for protection from eviction from the place where he is running his business and earning his livelihood.
3. Mr. Puspalaka, learned counsel submits that the Petitioner is a Street Vendor and has been recognized as such by the Bhubaneswar Municipal Corporation (BMC). The Petitioner was also issued with the Street Vendor Identity Card (Annexure-4) and Certificate of Street Vending on 1<sup>st</sup> July, 2020 (Annexure-3), which was valid up to 1<sup>st</sup> September, 2021. It is his submission that ordinarily a Street Vending Certificate is granted for a period of five years. But, erroneously the Deputy Commissioner, BMC granted it for a period of one year. However, the Petitioner is still running a Fast Food Shop under a thatched roof. Due to developmental work, the Petitioner is threatened of eviction. Hence, this writ petition has been filed for the aforesaid relief.



4. It is submitted that the Petitioner is still running his business and earning his livelihood at the place, i.e., near Master Canteen Square, Unit-III, Bhubaneswar. He has applied for renewal of his Street Vending Certificate, which is pending with the Commissioner, BMC. It is submitted that till consideration of his application, the Petitioner should not be evicted from the place where he is running his business.

5. Upon hearing Mr. Puspalaka, learned counsel for the Petitioner and on perusal of the record, it appears that no application in Form-II under the Scheme framed under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 has been filed before the Town Vending Committee, BMC. Town Vending Committee is Opposite Party No.4 in the writ petition.

6. However, taking into consideration that the Petitioner was granted a Street Vending Certificate on 1<sup>st</sup> September, 2020 under Annexure-3, this Court disposes of the writ petition with a direction that in the event, the Petitioner files an application in proper format complete in all respect within a period of two weeks hence before the Town Vending Committee, BMC, the same shall be considered in accordance with law as expeditiously as possible preferably, within a period of one month therefrom.

7. Till consideration of his application, if any, filed within the time stipulated as above, the Petitioner shall not be evicted from the place where he is running his business, if not evicted in the meantime.



Urgent certified copy of this order be granted on proper application.

***(K.R. Mohapatra)***  
***Judge***

***(S.K. Mishra)***  
***Judge***

Sipra