



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 22058 of 2025

Tabark Khan and others

...

Petitioners

Mr. Shib Shankar Mohanty, Advocate

-versus-

State of Odisha and others

... Opposite Parties

Mr. Manmaya Kumar Dash,
Additional Standing Counsel
(For Opposite Party No.1)

Mr. Manoj Kumar Panda, Advocate
(For Bhubaneswar Municipal Corporation)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

08.07.2026

Order No.

IA No.3932 of 2026

- 12.
1. This matter is taken up through hybrid mode.
 2. This is an application for to implead Town Vending Committee of Bhubaneswar Municipal Corporation (BMC) as an Opposite Party to the Writ Petition.
 3. Mr. Panda, learned counsel for BMC and Mr. Dash, learned ASC do not have any objection to such prayer.
 4. Accordingly, Office is directed to carry out correction of cause title by arraying Chairman, Town Vending Committee, Bhubaneswar Municipal Corporation, ICOMC Tower, Unit 9, Infront of Satya Nagar Kali Temple, Janpath Road, Bhubaneswar,



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Dist- Khordha, Odisha- 751022 as Opposite Party No.5 to the writ petition.

5. The IA is disposed of accordingly.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

13. **W.P.(C) No.22058 of 2025**

1. Petitioners in this writ petition pray for a direction to the authorities of the Bhubaneswar Municipal Corporation to make necessary arrangements to rehabilitate them under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (for short, 'the Act') and Schemes framed thereunder from time to time.

2. On consent of learned counsel for the parties, the matter is taken up for admission and final disposal.

3. Mr. Mohanty, learned counsel submits that the Petitioners are doing their business at Kalinga Nagar, Ward No.23 situated over Plot No.52 in Khata No.64 of Bhubaneswar in the district of Khordha for last 15-17 years. Some of them have been issued with trade license; some are issued with street vending identity card and some are issued with certificate of street vending. Further, each of the Petitioners have filed their individual application for grant of street vending certificate, but the same are



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pending with the Town Vending Committee. On the other hand, BMC is contemplating to evict the Petitioners from the said area without rehabilitating them under the Act and Scheme(s) framed thereunder. Hence, he prays for a direction to rehabilitate the Petitioners in any of the recognized vending zone and till then the Petitioners should not be evicted from the place where they are doing their business.

4. Mr. Panda, learned counsel for BMC raises preliminary objection with regard to maintainability of the writ petition. It is submitted that all the Petitioners stand in different footings. One of them issued with street vending certificate and two to three of them are issued with street vending certificate or identity card. The street vending certificate granted in favour of Santosh Kumar Pradhan/Petitioner No.3 has already expired. Further, authenticity of street vending identity card issued in favour of Mupunu Janiki Rao/Petitioner No.2 requires verification. Rest of them do not have any strict vending license. Hence, the writ petition being not maintainable is liable to be dismissed.

5. Taking into consideration the grievance of the Petitioners, this Court, without delving into the merits of the case of each of the Petitioners, disposes of the writ petition with a direction that in the event each of the Petitioners file fresh individual application for grant/renewal of street vending certificate in Form-II of the Scheme within a period of two weeks hence along with relevant documents in support of their case, the same shall be considered by the Town Vending Committee-Opposite Party No.5



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within a period of one month from the date of filing of such applications along with authenticated copy of this order and the decision taken thereon shall be communicated to the individual applicants accordingly.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

s.s.satapathy