



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30248 of 2026

[CNR No.ODHC010695632026]

Bharati Sethi

....

Petitioner(s)

Mr. Debidutta Mohapatra, Adv.

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mrs. Sarita Moharana, ASC

Mr. P.K. Mohanty, Sr. Adv.

Mr. Pronoy Mohanty, Adv. (for O.P. Nos.2 & 3)

CORAM:

HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI

HON'BLE MR. JUSTICE G. SATAPATHY

ORDER

25.09.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (video conferencing/physical mode).
2. Petitioner in this Writ Petition seeks protection under the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (for brevity, 'the Act') and the Odisha Street Vendors (Protection of Livelihood and Regulation of Street Vending) Scheme, 2015 (for brevity, 'the Scheme') and prays for a direction to restrain the Opposite Parties from evicting her from the place where she is running her business and earning livelihood.
3. Mr. Mohapatra, learned counsel for the Petitioner submits that the Petitioner is earning her livelihood from her



business located at Ward No.65, Near Kids Hospital, Dumuduma, HB Colony, Bhubaneswar, PS- Khandagiri, Khordha. She is solely dependent on her business at the aforementioned place and she has no other source of income to maintain her livelihood and that if she will be evicted from the place of business, her family members will face starvation. He further submits that since last 20 years, the Petitioner was carrying on her activities in the said area. She was issued with a Letter of Recommendation (LoR) for availing the benefits under PM SVANidhi Scheme by the Bhubaneswar Municipal Corporation along with Certificate of Trade License under Section 554 of OMC Act, 2003 identifying herself as a street vendor. The Petitioner has also submitted application in Form II for issuance of street vending certificate in her favour. The same is pending with the Town Vending Committee, Bhubaneswar Municipal Corporation-Opposite Party No.3. During pendency of the said application, steps are being taken for her eviction. Hence, finding no other alternative, this Writ Petition has been filed.

4. Mr. Pronoy Mohanty, learned counsel has instructions to appear on behalf of Bhubaneswar Municipal Corporation.
5. Taking note of the submission made by Mr. Mohapatra, learned counsel for the Petitioner and the order proposed to be passed, we feel that keeping the matter pending before this



Court awaiting instruction from the Bhubaneswar Municipal Corporation will not subserve any fruitful purpose.

6. Accordingly, the Court without expressing any opinion on the merits of the case of the Petitioner to be issued with a street vending certificate, disposes of the Writ Petition with a direction that on production of certified copy of this order along with a copy of application stated to have been filed in Form II of the Scheme, the Town Vending Committee, Bhubaneswar Municipal Corporation shall consider her application as expeditiously as possible within a period of one month therefrom. Till a decision is taken on the application stated to have been filed by the Petitioner in Form II of the Scheme, no coercive measure for eviction of the Petitioner shall be taken by the Bhubaneswar Municipal Corporation.

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

(Dr. Sanjeeb K Panigrahi)
Judge

(G. Satapathy)
Judge