

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6109 of 2018 & W.P.(C) No.16602 of 2016

(In W.P.(C) No.6109 of 2018)

Chittaranjan Mohanty

....

Petitioner

In person

-versus-

State of Odisha and others

....

Opposite Parties

Mr. L. Samantaray, AGA

(In W.P.(C) No.16602 of 2016)

Chittaranjan Mohanty

....

Petitioner

In person

-versus-

State of Odisha and others

....

Opposite Parties

Mr. L. Samantaray, AGA,
Mr. Debasis Nayak, Advocate (CMC) and
Ms. Pami Rath, Advocate for Intervener

CORAM:

THE CHIEF JUSTICE

JUSTICE G. SATAPATHY

ORDER

12.04.2023

Order No.

W.P.(C) No.16602 of 2016

13. 1. Two affidavits have been filed today. One is by the Health Officer, Cuttack Municipal Corporation (CMC) stating that the proposal to shift the vending zones has been kept in abeyance since the road connecting from SCB Medical College and Hospital, Cuttack (SCB MC & H) to the Ring Road has been closed since January, 2022 for the purposes of Re-Development and Expansion of SCB Medical College & Hospital, Cuttack. It is pointed out that 8 shops have been removed/shifted. The said affidavits are taken on

record. The other affidavit is by the Deputy Commissioner, CMC stating that regular clearing and lifting of garbage is being undertaken through the agency engaged for the work in Ward No.35 and awareness has been created among shop keepers not to encroach the road and dump garbage over the road and drain.

2. Mr. Chittaranja Mohanty, who appears in person, seeks time to respond to the said affidavits.

3. List on 21st June, 2023.

I. A. No.5241 of 2023

4. This is an intervention application filed by 31 vendors who operate in the vending zones outside the SCB MC & H.

5. Ms. Pami Rath, learned counsel appearing for the Interveners, refers to the orders earlier passed by this Court in W.P.(C) No.12179 of 2014 and also to the photographs enclosed with the said intervention application to show that the vendors operate only within the earmarked vending zones. It is stated that the temporary hawkers operate only till 8.30 am in the morning.

6. Issue notice. Mr. Chitaranjan Mohanty (Petitioner in W.P.(C) No.16602 of 2016) and Mr. Debasis Nayak, learned counsel for the CMC accept notice. Replies, if any, to the application be filed at least two weeks prior to the next date.

W.P.(C) No.6109 of 2018

7. The affidavit of the Additional Chief Secretary, Health and Family Welfare Department has been filed and a copy thereof has

been handed over today to the Petitioner, who needs time to respond to it.

8. List on 21st June, 2023.

(Dr. S. Muralidhar)
Chief Justice

(G. Satapathy)
Judge

M. Panda

