

ITEM NO.32+36 Court 3 (Video Conferencing)

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 14837/2021

(Arising out of impugned final judgment and order dated 23-08-2021 in WPC No. 2376/2021 passed by the High Court Of Orissa At Cuttack)

NAMITA RANI SAHA & ORS.

Petitioner(s)

VERSUS

SANTOSH KUMAR SAHU & ORS.

Respondent(s)

WITH

SLP (C) No(s).16727-16728/2021

(FOR ADMISSION and I.R. and IA No.123132/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

SLP(C) No. 16677/2021 (XI-A)

(FOR ADMISSION and I.R. and IA No.131211/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.131212/2021-EXEMPTION FROM FILING AFFIDAVIT and IA No.131210/2021-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

Date : 22-10-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s)

Mr. Sukumar Pattjoshi, Sr. Adv

Mr. Haraprasad Sahu, Adv

Mr. Pranaya Kumar Mohapatra, AOR

Mr. R. Sathish, AOR

Mr. Shibashish Misra, AOR

For Respondent(s)

Mr. Ashok Parija, Adv General

Mr. Gaurav Khanna, AOR

Mr. Atul Kumar, Adv

Mr. Abhimanyu Sharma, Adv

Ms. Deepali, Adv

Mr. Pulak Bagchi, Adv

Mr. Tarun Gupta, AOR

UPON hearing the counsel the Court made the following
O R D E R

SLP(C) No.14837/2021

Mr. Sukumar Pattjoshi, learned senior counsel appearing for the petitioners, in deference to the observations made by the Court, on instructions, submits that the petitioners will vacate the premises in their possession under the flyover Bridge within four weeks from today without prejudice to their rights and contentions raised in the present petition and further orders to be passed by this Court.

We accept that statement as undertaking given by the petitioners on their own.

List this matter on 25th November, 2021.

Until the next date of hearing, the Authorities may not take any precipitative action against the petitioners.

However, it is made clear that the petitioners having invited this order, they may use the subject premises at their own risk and responsibility. This needs to be recorded keeping in mind the precarious condition of the Flyover Bridge.

SLP (C) No(s).16727-16728/2021

Learned counsel for the petitioner(s) submit that the petitioner(s) have already vacated the area occupied by them as street vendors and they will not obstruct the repair work of the Bridge in any manner.

However, it is urged that the alternative site offered by the State is not acceptable to them because it is unusable as of now.

The petitioners may make representation to the Collector, who may examine the same and take appropriate decision as may be advised. That will be without prejudice to the present proceedings.

List these matters and SLP(C) on 16677/2021 on 25th November, 2021.

We make it clear that we have not decided on the question of rights of the petitioners as claimed. That issue will be considered at appropriate stage.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER