

10. 16.03.2016

Heard Shri S.K. Nayak, learned Senior Advocate for Cuttack Municipal Corporation, Shri Arun Kumar Budhia, Amicus Curiae and Shri Pattnaik, Member of the Committee.

By order no.09, dated 03.12.2015, this Court had taken note of the fact that Cuttack Municipal Corporation had received a total number of 57 applications till such date. This Court had further directed that the parties, who are operating the Kalyan Mandaps/Banquet Halls, are free to make applications to the C.M.C. for issue of necessary licence. In the event such applications are made, the interim order therein shall also stand extended to them on the selfsame terms and conditions.

It appears that the Committee constituted by this Court had identified 180 numbers of Kalyan Mandaps/Banquet Halls and from out of them, 173 numbers of Kalyan Mandaps/Banquet Halls have been inspected by the Committee. But, we find that till date only 76 numbers of Kalyan Mandaps/Banquet Halls have applied for licence. Consequently, 104 numbers of Kalyan Mandaps/Banquet Halls have not applied for licence.

In view of our earlier order dated 03.12.2015, the interim orders passed therein shall not be extended to the 104 numbers of Kalyan Mandaps/Banquet Halls, who have not applied for licence. Both CMC authorities as well as Police authorities shall take immediate steps for closure of such Kalyan Mandaps/Banquet Halls, who have not made any application for issue of licence.

As regard the 76 numbers of Kalyan Mandaps/Banquet Halls, who have applied for licence, the Committee constituted by this Court is directed to take a decision on the criteria to be fixed for consideration of such applications. Accordingly, the Committee is called upon to act with due haste and come up with the proposed criteria to be applied for assessing the applications within a period of four weeks from today.

For the sake of clarity, it is reiterated that the 104 numbers of Kalyan Mandaps/Banquet Halls, list of which is available with the C.M.C., shall be forwarded to the D.C.P., Cuttack and both the Corporation and the police authorities shall jointly take necessary steps to stop such Kalyan Mandaps/ Banquet Halls, from functioning.

Report of the Committee be presented before this Court in a sealed cover after four weeks.

List this matter on 27.04.2016.

Free copy of this order be handed over to Shri S.K. Nayak, learned Senior Advocate for C.M.C., Shri Arun Kumar Budhia, Amicus Curiae and Shri Pattnaik, Member of the Committee.

I. Mahanty, J.

S.C. Parija, J.