

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2021 of 2020 and batch

In W.P.(C) No.2021 of 2020

Sidheswar Panda and others* *Petitioners

Mr. A.S. Nandy, Advocate

-versus-

State of Odisha and others* *Opposite Parties

Mr. Debakanta Mohanty, A.G.A. for the State

M/s. B.P. Dhal, Advocate and associates for the Intervener

In W.P.(C) No.3803 of 2020

Anup Kumar Kayal and others* *Petitioners

Mr. S. Mohapatra, Advocate

-versus-

State of Odisha and others* *Opposite Parties

Mr. Debakanta Mohanty, A.G.A. for the State

M/s. B.P. Dhal, Advocate and associates for Intervener

In W.A. No.322 of 2016

Prabir Kumar Pradhan* *Appellant

Mr. R. K. Pati, Advocate

-versus-

State of Odisha and others* *Respondents

Mr. Debakanta Mohanty, A.G.A. for the State

In W.P.(C) No.5317 of 2020

Harekrushna Giri and others* *Petitioners

Mr. R. K. Pati, Advocate

-versus-

State of Odisha and others* *Opposite Parties

Mr. Debakanta Mohanty, A.G.A. for the State

CORAM:

**THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
20.09.2022**

Order No.

04. **In W.P.(C) No.2021 and 3803 of 2020**

1. There are two conflicting issues projected in these petitions: One, raised by the Petitioners in W.P.(C) No.2021 of 2020 stating that a wooden bridge over the Subarnarekha river in Jaleswar Municipality should be dismantled as it is being used by the sand mafias and second, the opposite point of projected in the connected writ petition i.e., W.P.(C) No.3803 of 2020 by the villagers who want the bridge to remain as they are using it.

2. It appears that in the meanwhile the National Green Tribunal, Kolkata Bench has already issued certain guidelines on 2nd February 2022 in O.A. No.33 of 2020, which apparently applies to the issue of illegal sand mining from the banks of the Subarnarekha river. Therefore, this Court need not entertain another petition on the same issue.

3. As far as the wooden bridge being used by the villagers is concerned, the Court is not inclined to entertain the prayer for its dismantling if it in fact is useful to the villagers. Apparently for the construction of a regular bridge there is already a representation by the villagers in W.P.(C) No.3803 of 2020, which is pending before the State Government. It will be for the State Government to take a

decision thereon in accordance with law after hearing all the affected persons..

4. Accordingly, the present W.P.(C) Nos.2021 and 3803 of 2020 are disposed of the in the above terms.

In W.A. No.322 of 2016 and W.P.(C) No.5317 of 2020

5. In view of the above order of this Court, the present writ appeal as well as the writ petition respectively are disposed of.

6. Issue urgent certified copy of this order as per rules.

S.K. Guin/M. Panda

