

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28605 of 2011

Hari Charan Gupta

.... Petitioner
Mr.P.K.Nanda, Advocate

-versus-

State of Odisha & others

.... Opp.Parties
Mr. A.P.Das, ASC
Mr. S.P.Mishra, Senior Advocate
for O.P. Nos.7 &8

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK

Order No.

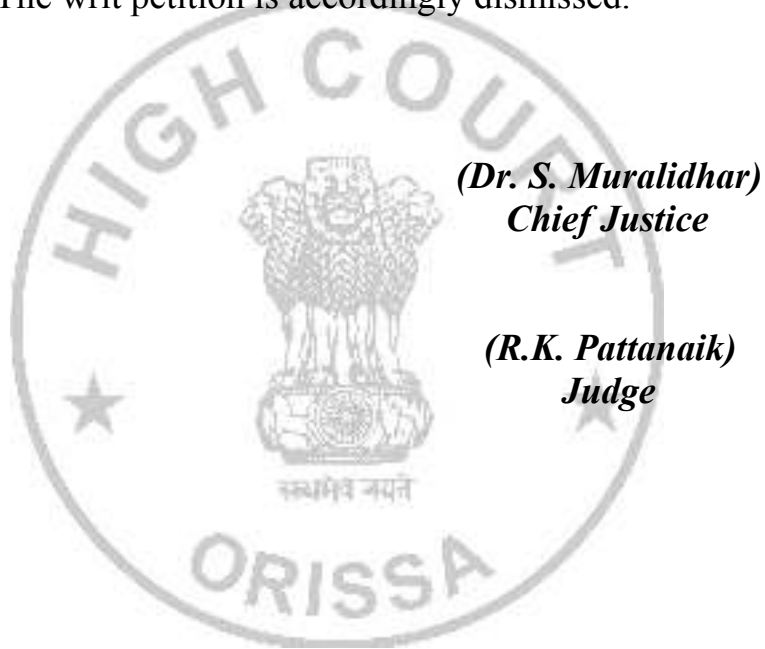
ORDER
20.04.2022

16. 1. In the affidavit filed by the Opposite Party No. 4 it is stated that without waiting for permission from the Government of India under the Forest Conservation Act, 1980 the Petitioner has gone ahead and established a Sponge Iron Plant over the forest land. It is further stated that the Forest Lands in Sabik Kisam have been converted by the Petitioner in to non-forest land after 1980 without complying with the Forest Conservation Act, 1980. The Petitioner appears to have even laid a water pipe line within Sidhamath Reserved Forests of a length of 1775 meters for drawing water illegally from Karo river for the Sponge Iron Plant. Further, it is stated that a forest offence case has been registered against the Petitioner as a result of the above violations.

2. Despite the above affidavit having been filed on 7th December, 2011 till date there is no rejoinder affidavit to contradict the above averments.

3. Consequently, the Court is unable to accede to the prayer of the Petitioner that a direction should be issued to the Opposite Parties to grant the lease in respect of the land in question in favour of the Petitioner on a formal basis or to get IDCO to transfer the land in question in its favour.

4. The writ petition is accordingly dismissed.



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