

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1886 of 2022

Kailash Chandra Agrawal

....

Petitioners

Mr. B.N. Bhuyan,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. R.P. Mahapatra,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
22.02.2022**

Order No.

- 02.
1. This writ petition involves a challenge to the impugned notice vide Annexure-5 issued by the Opposite party No.4 thereby directing to demolish the shop rooms in question, further threatening that in absence of working it out, the expenditure to be incurred for clearing such illegal construction shall be realized from the Petitioner. It appears, the Petitioner has already submitted his objection to such notice to the competent authority.
 2. It is alleged by Mr. Bhuyan, learned counsel for Petitioner that in spite of the Petitioner's submitting its objection before the Executive Officer, N.A.C, Kantabanji-Opposite Party No.4 vide Annexure-6, there is no decision on the same as yet.

3. Considering the submissions made by the parties, keeping in view the allegation made by Mr. Bhuyan, learned counsel for Petitioner and as there is already objection answering to the notice vide Annexure-5, this Court directs, in the event objection of the Petitioner vide Annexure-6 has not been attended to as yet, the Executive Officer, N.A.C, Kantabanji shall take a lawful decision thereon by providing opportunity of hearing to the Petitioner.

4. The entire exercise shall be completed within a period of one month from the date of communication of an authenticated copy of this order by the Petitioner. Petitioner is also directed to serve an authenticated copy of this order on the Opposite Party No.4 by Monday (28th February, 2022). It is also directed that in the event the shop rooms in question have not been demolished as yet, status quo as on today in respect of the said shop rooms shall be maintained by the parties for a period of six weeks and within which period there shall be decisions on the objection of the Petitioner.

5. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge