

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 10103 of 2012

Patitapaban Nayak and Others

Petitioners
....
Mr. J. Bhuyan, Advocate

-versus-

State of Odisha and others

Opposite Parties
...

Mr. Ishwar Mohanty, Addl. Standing Counsel

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAİK

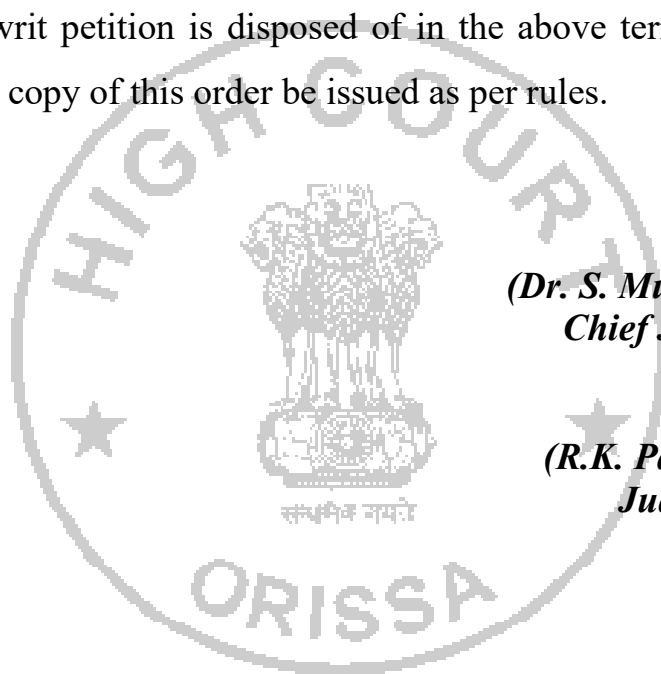
ORDER
03.08.2022

Order No.

13. 1. Despite notice having been served on Opposite Party No.3 i.e. N.A.C., Pattamundai and counsel also having entered appearance on its behalf, till date no counter affidavit has been filed in the present petition despite three adjournments granted for that purpose. Today none appears for NAC, Pattamundai.
2. The main grievance of the present Petitioner is that the Opposite Party No.3 is trying to demolish the house of the Petitioners standing over Khata No.1163, Plot No.1983 Ac 0.020 and Plot No.2001 Ac 0.010 in Mouza Beltal, P.S. Pattamundai, Dist-Kendrapara for road widening.
3. This Court while issuing notice in the present petition on 7th June, 2012 directed status quo to be maintained. That interim order

is continuing over a period of ten years. No attempt has been made by Opposite Party No.3 in the meanwhile to have it vacated. With no counter affidavit having been filed and none appearing on behalf of Opposite Party No.3, the Court makes absolute the impugned order passed on 7th June, 2012. In the event in future, the NAC, Pattamundai requires the land in question for any road widening, it should do so only after following the due process of law and after sufficient advance notice to the Petitioners.

4. The writ petition is disposed of in the above terms. An urgent certified copy of this order be issued as per rules.



(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Jena/Secy.