

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 747 of 2015

Karunakar Pati

....

Appellant

Mr. Prasanna Kumar Nanda, Advocate

-versus-

State of Odisha and Others

....

Respondents

Mr. Debakanta Mohanty, Addl. Govt. Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
28.09.2022**

Order No.

06. 1. The Appellant was granted a purely temporary licence on 19th May, 1994 for a space at the bus stand in Koraput for one year. He was only allowed to construct a temporary structure for hotel purposes. The terms of the licence made it clear that the authority had a right to cancel the licence for violations of the terms and conditions of the license. For some reason this arrangement continued till 13th June, 2003 when the impugned order was passed requiring him to remove the structure and deliver possession of the site.
2. Although in the impugned order of the learned Single Judge a reference is made to a report submitted by the Chief District Medical Officer on 19th June, 2003 of the unhygienic condition of the hotel in question, the Court finds that the original term of a license was itself temporary and only for a period of one year. Therefore, irrespective

of the report of the CDMO, the Appellant could not have insisted on continuing in the structure in question on the basis of any 'legitimate expectation'. Consequently, the Court is not inclined to interfere with the impugned order of the learned Single Judge.

3. The writ appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

S.K. Jena/Secy.

