

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.10473 OF 2017

Kalpana Dash

....

Petitioner

Mr.B.Bhuyan, Advocate

-versus-

***Berhampur Municipal Corporation &
Ors.***

....

Opposite Party(s) .

Mr.P.K.Mohanty,

Adv. (O.P.No.3)

Mr.R.Sahoo, Adv.

(O.P.Nos.1 & 2)

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
28.11.2022**

**Order
No.3**

1. Heard learned counsel appearing for the parties.
2. This writ petition involves the following prayer:

“Under the circumstances, the petitioner prays that your Lordships would graciously be pleased to admit the Writ Application, issue Rule NISI calling upon the Opp. Party to show cause and if the Opp. Parties failed to show cause or shown insufficient cause the said rule may be made absolute by commanding Opp. Party No.1 & 2 to approve the building plan submitted by the petitioner in Annexure-8/A along with the required notice as per Annexure-8 within a stipulated period.

And further be pleased to pass an order/orders, direction/direction or issue writ/writs directing the Opp. Party No.1 & 2 to approve the building plan of the petitioner within a stipulated date.

And pass any further order/orders as would be deemed fit and proper to grant justice to the petitioner and allow this writ application with cost throughout;

And for which act of kindness, the petitioner as in duty bound shall ever pray.”

3. For the nature of prayer, this Court finds there is involvement of innocuous prayer to direct the opposite party nos.1 and 2 to take a final decision on the building plan submitted by the petitioner pending before opposite party nos.1 and 2, if any. Let the desired action be undertaken

at least within a period of six weeks from the date of production of certified copy of this order by either side.

4. The writ petition stands disposed of.

(Biswanath Rath)
Judge

sk

