

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 6079 OF 2022

Prakash Jagdalla

....

Petitioner

Mr. Santosh Kumar Mahanty,
Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
11.04.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Collector, Bargarh to dispose of the grievance petition under Annexure-8 within a stipulated time by passing a speaking order.
3. Allegation made in Annexure-8 reveals that one Banamali Bag, son of Narayan Bag (Opposite Party No.7) has forcibly made construction of his residential house encroaching upon the public road. It is also alleged that his daughter, namely, Sunita Bag has also dug a bore well at a place, not earmarked for the same. Making such allegation, he has made a grievance petition to the Collector, Bargarh under Annexure-8, which is pending for consideration. Hence, this writ petition has been filed for the aforesaid relief.
4. Mr. Mishra, learned Additional Government Advocate submits that the grievance of the Petitioner cannot be considered by the Collector, Bargarh and the same can only be looked into by the statutory authority. Since the Petitioner has not approached

the competent authority under the relevant statute for redressal of his grievances, direction for disposal of Annexure-8 will create further confusion and multiplicity of litigation.

5. Upon hearing learned counsel for the parties and on perusal of the record, it appears that the Petitioner has made allegation against the Opposite Party No.7 for encroachment of a public road. He has also made allegation against the daughter of Opposite Party No.7 for digging a bore well at the place of her choice. Said Sunita Bag, daughter of Opposite Party No.7, has not been made a party to the writ petition.

6. If the Petitioner has any grievance with regard to encroachment of public road, he can move the statutory authority under relevant provisions of the statute. As such, this Court is not inclined to entertain the writ petition.

7. Accordingly, this writ petition stands dismissed.

Urgent certified copy of this order be granted on proper application.

संक्षेपिक न्यायो

(K.R. Mohapatra)
Judge

ORISSA

bks