

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6376 of 2022

Sarat Chandra Baidya and others ***Petitioners***

M/s. B. Panigrahi, Advocate and associates

-versus-

State of Odisha and others ***Opposite Parties***

Mr. Debakanta Mohanty, A.G.A.

CORAM:
THE CHIEF JUSTICE
JUSTICE M.S. RAMAN

Order No.

ORDER
07.12.2022

07. 1. The present petition seeks a direction to the Excise authorities to allow the Off Shop of Opposite Party No.6 to be shifted from the present site at Nagardiapatna to Patharakote Mouza site under the Langaleswar Gram Panchyat (GP) area.
2. The background facts are that on 5th November 2021, a public objection notice was issued in respect of opening of the IMFL Off shop for the District of Ganjam for the year 2022-23 including the Langaleswar IMFL Off Shop at the approved mouza i.e., Nagardiapatana. An objection petition dated 19th November 2021 was received which was enquired by the Inspector of Excise, Chatrapur, Sadar. It appeared that the villagers of Pendrupalli under the Langaleswar GP had a submitted a petition that the licensee should be allowed to shift to the Patharkote Mouza.
3. The stand of the Excise authorities is that the approved Mouza is Nagardiapatana and therefore, the shop cannot be shifted to the Patharkote Mouza which is not approved for that purpose. The

matter was examined by the Collector and District Magistrate, Ganjam and the Excise Commissioner has also dismissed the appeals filed by certain other villagers in this regard.

4. With the matters having already been enquired into at all levels and it being found not feasible to direct shifting of the Off shop to a non-approved site at Pahtarkote Mouza, the Court rejects the prayer made in the present writ petition.

5. The writ petition is accordingly dismissed.

S.K. Guin

