IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 6867 of 2017

Basanta Kumar Lenka ….. ***Petitioner***
Mr. D. Mohapatra, Adv.

Vs.

State of Orissa and others ….. ***Opposite Parties***
Mr. P.K. Muduli, AGA

CORAM:
DR. JUSTICE B.R. SARANGI
MR. JUSTICE B.P. SATAPATHY

ORDER
24.01.2023

I.A. No. 18121 of 2022

Order No. 08.

This matter is taken up through hybrid mode.

2. This application has been filed by the petitioner seeking modification of the order dated 06.12.2022.

3. Considering the grounds taken in the application itself and after hearing the learned counsel for the parties, the order dated 06.12.2022 is hereby recalled and fresh order is passed today in W.P.(C) No. 6867 of 2017 in separate sheet.

4. I.A. stands disposed of.

(DR. B.R. SARANGI)
JUDGE

Ashok

(B.P. SATAPATHY)
JUDGE

P.T.O.

W.P.(C) No. 6867 of 2017

Order No. 09. This matter is taken up through hybrid mode.

2. Heard.

3. The present writ petition has been filed with the following prayer:-

> *"The Petitioner therefore most humbly prays that this Hon'ble Court be graciously pleased to admit the writ application, issue rule Nisi calling upon the opposite parties to show cause as to why the petitioner shall not be allotted an alternative plot as prayed for or compensation under the new Act, 2013 with all benefits so as to enable him to purchase a plot of his choice for his residence.*
>
> *If the opposite parties fail to show cause or show insufficient cause to make the said rule absolute by issuance of an appropriate writ/s, order/s, direction/s as this Hon'ble Court may deem fit and proper.*
>
> *And/or to pass such other order/s, direction/s as this Hon'ble Court may deem fit and proper taking into consideration the facts and circumstances of the present case".*

4. In course of hearing, learned counsel for the petitioner states that highlighting his grievances, the petitioner has made a representation to opposite party no.4 vide Annexure-3, which has been recommended by opposite party no.4-Block Development Officer, Chandbali to the Director, Panchayati Raj & Drinking Water Department, Govt. of Odisha vide Annexure-A/4 for consideration. Therefore, direction may be given to consider the same within a stipulated time, to which learned Counsel for the State has raised no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing opposite party no.2-Secretary, Panchayati Raj Department, Govt. of Odisha and Director, Panchayati Raj & Drinking Water Department, Govt. of Odisha to take a decision on the recommendation made by opposite

party no.4-Block Development Officer, Chandbali vide Annexure-A/4, and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

Ashok

(B.P. SATAPATHY)
JUDGE

HIGH COURT
सत्यमेव जयते
ORISSA