

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4037 of 2012

Rabindra Bhuyan & Anr.

....

Petitioner(s)

None

-versus-

C.D.A., Cuttack & Ors.

....

Opposite Party(s)

Mr. D. Mohapatra,

Advocate for O.Ps.1 to 4

Mr. B. Muduli,

Advocate for O.P.5

CORAM:

JUSTICE BISWANATH RATH

ORDER

12.04.2022

Order No.

04.

1. It is submitted on behalf of Mr. B. Baug, learned counsel for the Petitioners that the Petitioners have taken away the brief from him and as such his name be deleted. This Court directs for deletion of name of Mr. Banshidhar Baug and his associates. There is no fresh appearance on behalf of the Petitioners as yet.

2. Heard the submission of Mr. Mohapatra and Mr. Muduli, learned counsel for the respective Opposite Parties.

3. However, looking to the averments made in this writ petition this Court finds, there is objection by the Petitioners to the grant of a plan approval in favour of the Opposite Party No.5. The averments made in paragraph no.11 discloses that basing on the complaint regarding unauthorized construction though a proceeding vide U.C. Case No.257 of 2010 was initiated, but the same is still pending. No counter affidavit has been filed as of now.

4. Considering the request made, this Court observes, in the event the U.C. Case No.257 of 2010 is still pending, the same may be disposed of involving all the parties concerned and within a period of three months from the date of communication of an authenticated copy of this order by the Petitioners and/or by the learned counsel for the Development Authority.

5. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

