

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) PIL No.8124 of 2019

Sudhir Pradhan

.... Petitioner

Ms. G. Majhi, Advocate

-versus-

State of Odisha and others

.... Opposite Parties

Mr. Debakanta Mohanty, AGA

CORAM:

**THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
23.08.2022**

Order No.

11. 1. The main allegation in this writ petition is about Opposite Party No.5 operating a Stone Quarry illegally i.e. by mining around the area for which he was granted the lease.
2. The lease period itself has come to an end in March, 2022. During the period, when this writ petition was pending, no notice was issued to Opposite Party No.5. Therefore, he did not get an opportunity of defending himself in this writ petition.
3. As regards the allegations of the Petitioner, the counter affidavit of the Tahasildar of the concerned area has denied all of them. This, of course, has been refuted by the Petitioner by filing a rejoinder. Therefore, whether in fact there has been any violation of the condition of lease is itself a disputed question of fact.

4. With no notice having issued to Opposite Party No.5 thus far and with the lease having come to an end, the Court is not inclined to interfere at this stage. The writ petition is accordingly dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

M. Panda

