

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C). No.2473 of 2003

Smt. Amita Mohanty

....

Petitioner

Mr. S.K. Padhi, Senior Advocate

-versus-

***Orissa Industrial Infrastructure
Development Corporation (IDCO)
and others***

....

Opp. Parties

Mr. Partha Mukherjee, Advocate

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAİK**

Order No.

**ORDER
05.01.2022**

Misc. Case No. 5173 of 2017

12.

1. This an application for substitution.
2. Considering the grounds taken in the application, the application for substitution is allowed as prayed for. The names of the legal heirs in Schedule as indicated be brought on record.
3. Accordingly, the Misc. Case is disposed of.

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4. This writ petition was filed questioning an order dated 6th March, 2003 passed by the Orissa Industrial Infrastructure Development Corporation Limited (IDCO) cancelling the allotment of land in Plot No.67 in the Industrial Estate,

Chandaka in favour of the Petitioner for the purpose of a lodging and boarding project on the ground that the plot chosen for allotment was located just in front of Technical educational Institute” The Petitioner was accordingly asked to choose an alternative site in the same Industrial Estate for her venture.

5. While directing notice to issue in the present petition on 13th March, 2003, this Court stayed the operation of the said cancellation order.

6. The subsequent development has been that despite the orders of the Court the alternative arrangement could not be worked out. In the meanwhile, on 8th May, 2003 the Tourism and Cultural Department Govt. of Orissa purportedly approved the Hotel Project of the Petitioner. Copy of the said letter has been enclosed with an additional affidavit filed by the Petitioner on 14th September, 2003.

7. In response to the above affidavit, IDCO has by circular dated 10th October, 2008 informed that the proposal has to be routed through the Directorate of Tourism.

8. At the present stage, therefore, the only direction that the L.Rs of the Petitioner are seeking is that the L.Rs' Hotel project as approved, by the letter dated 8th May, 2003 of the Tourism and Cultural Department, be processed by IDCO in terms of the aforementioned circular and the final decision thereon be communicated to the L.Rs in a time bound manner.

9. Accordingly, the following directions are issued:

- (i) The L.Rs of the Petitioner shall appear before the Managing Director, IDCO on 14th February, 2022 at 11.00 A.M. and present all the relevant documents along with a written note of submissions for IDCO's consideration;
- (ii) After hearing the L.Rs, the M.D. of IDCO will pass an appropriate order in terms of IDCO's circular and communicate the decision to the L.Rs within a period of three months thereafter;
- (iii) Till then status quo shall be maintained by the parties;
- (iv) If the L.Rs are aggrieved by the decision of IDCO, it will be open to them to seek appropriate remedies in accordance with law;
- (v) The Court clarifies that it has expressed no view on merits.
10. The writ petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(R.K.Pattanaik)
Judge