

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12981 of 2022

Ajaya Khatua & Ors.

..... Petitioner(s)

Mr. A.K. Sahoo,
Mr. A.K. Budhia,
Advocates

-versus-

State of Orissa & Ors.

..... Opposite Party(s)

Mr. S. Mishra,
Addl. Standing Counsel for O.Ps.1 to 4
Mr. S.B. Dash,
Advocate for O.P.5

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
08.07.2022**

Order No.

03.

1.

This writ petition involves the following prayer:-

“Under the circumstance, the Petitioners therefore pray that notice of ‘Rule Nisi’ be issued to the Opposite Parties calling upon them to show cause as to why the construction of Rural Park in Abhayapur Gram Panchayat, Abhayapur over Plot No.-135 under Khata No. – 171 measuring an area Ac.0.25 Dcm. Out of Ac.4.90 Dcm. Of Kisam Gochara which is belongs to village-Mangalpur will not be declared as illegal.

And upon the Opposite Parties not showing cause or failing to show adequate cause, the said Rule be made absolute and a writ in the nature of Mandamus or any other appropriate writ as may deemed fit and proper be issued directing the opposite party more specifically opposite party No.-3 & 4 to construct the Rural Park in Abhayapur village under Khata No.-275 over Plot No.-106 measuring an area Ac.0.35 Dcm. Within a stipulated time period.

And to grant such other relief/reliefs as may be deemed fit and proper.”

2. It appears, the Petitioners have grievance involving the communication dated 6.11.2021. On instruction by producing the letter dated 17.05.2022 Mr. Mishra, learned State Counsel submitted that the project involved herein has been changed from Abhayapur to Ruralpark Mangarajpur.

3. Heard the submission of respective counsels.

4. Considering the statement made by Mr. Mishra, learned State Counsel and for the subsequent development taken place in the meantime through the communication dated 17.05.2022, this Court finds, there is no cause of action surviving in this writ petition.

5. The writ petition is, accordingly, disposed of.

(Biswanath Rath)
Judge