

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.32345 of 2011

Bijay Kumar Sahoo

Petitioner

Mr. J.K. Khuntia, Advocate

-versus-

***Director of Estate, General Opposite Parties
Administration Department and others***

Mr. A.P. Das , ASC

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

**ORDER
29.03.2022**

Order No.

09.

1. The Petitioner seeks the quashing a letter dated 7th June, 2011 issued by the Orissa State Housing Board (OSHB) including the land occupied by the Petitioner in Khata No.421 Plot No.354 at Satyanagar in the joint eviction programme of the Bhubaneswar Municipality Corporation (BMC). While directing notice to issue in the present petition on 16th December, 2011, this Court directed status quo to be maintained. That interim order is continuing.

2. The only grievance in the present petition is that the person occupying the adjacent plot has been allotted the said plot by the BMC whereas the Petitioner has not. The stand of the OHSB is that the Petitioner had forcibly occupied Government land and that too after the adjacent land has been regularly allotted in favour of its occupier.

3. Be that as it may, since the limited grievance of the Petitioner is regarding allotment of the land under his occupation and since there is no denial of such allotment being made in respect of an individual as far as the adjacent plot is concerned, the Court considers it appropriate to direct that if the Petitioner makes a representation to the OSHB for allotment of the land under his occupation, not later than 2nd May 2022, the OSHB will consider it on merits, pass an appropriate order thereon and communicate it to the Petitioner within two months thereafter. It is clarified that this Court has not expressed any opinion on the merits of the case. If aggrieved by the decision of the OSHB, it will be open to Petitioner to seek appropriate remedies in accordance with law. The status quo order passed earlier by this Court will continue till the disposal of the representation of the Petitioner by the OSHB provided the representation is made not later than 2nd May, 2022.

4. The petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge