

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13010 of 2022

Madhu Nayak

....

Petitioner

Mr. S.P. Das, Advocate

-versus-

***State of Odisha and
others***

....

Opp. Parties

*Mr. S.N. Das,
Addl. Standing Counsel*

**CORAM:
JUSTICE S.K. SAHOO
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
31.05.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner as well as learned Addl. Standing Counsel for the State of Odisha.

This Writ Petition has been filed by the petitioner with a prayer to quash the tender for stone quarry in Plot No.733, 738 and 741 to the extent of Hec.3.204 in Khata No.260, Mouza- Adava vide Annexure-2 thereby declaring the same in violation of Rule-4(k) of the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.

During course of argument, learned counsel for the petitioner submitted that highlighting the illegality committed in the tender of stone quarry, a grievance

petition has been filed by the villagers of Adava before the Tahasildar, Mohana under Annexure-3 and the Tahasildar has not considered such petition as yet and he seeks a direction to the Tahasildar, Mohana to consider the petition in accordance with law after giving an opportunity of hearing to him.

Learned counsel for the State has no objection to such prayer.

Considering the submissions made by the learned counsel for the respective parties and without going into the merits of the case, this writ petition is disposed of directing the opposite party no.4- Tahasildar, Mohana to consider the grievance petition under Annexure-3 after giving an opportunity of hearing to the petitioner and the hearing date shall be intimated to the petitioner in writing and dispose of the same within a period of four weeks from the date posted for hearing of Annexure-3 and communicate the result of such exercise to the petitioner. The opposite party no.4 shall act on production of a certified copy of this order along with a copy of the writ petition.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Vacation Judge

(Biraja Prasanna Satapathy)
Vacation Judge

I.A. No.6827 of 2022

02. In view of the order passed today in W.P.(C) No.13010 of 2022, this I.A. is also disposed of.

(S.K. Sahoo)
Vacation Judge

(Biraja Prasanna Satapathy)
Vacation Judge

RKM

