

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14120 of 2022 (PIL)

Janaki Behera

....

Petitioner

Mr. S.K. Nayak, Advocate

-versus-

***State of Odisha and
others***

....

Opp. Parties

Smt. Saswata Pattnaik

Addl. Government Advocate

**CORAM:
JUSTICE S.K. SAHOO
JUSTICE MURAHARI SRI RAMAN**

ORDER

07.06.2022

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. Government Advocate for the State of Odisha.

This Writ Petition which is in the nature of Public Interest Litigation has been filed by the petitioner with a prayer to direct the opposite party no.4 Collector, Khorda, opposite party no.5 Collector, Bhubaneswar, opposite party no.6 Sub-Collector, Bhubaneswar and opposite party no.7

Tahasildar, Bhubaneswar not to lease out the "Gochar" land i.e. Plot No.283, area Ac.87.00 decimal under Khata No.219 of Mouza-Bhagawatipur in the district of Khurda for extracting Morrum lying under surface of this "Gochar" land.

Learned counsel for the petitioner submitted that highlighting the grievances of Villages Committee of Kantabada and Bhagawatipur, the petitioner has submitted a representation on 20.05.2022 under Annexure-2 series before the Collector, Khurda, which has not yet been considered.

It appears that the petitioner has not waited to give a reasonable time to the authority concerned to apply its mind and take a decision on the representation and immediately after filing the representation, he has approached this Court.

Be that as it may, since the representation is pending before the Collector, Khurda-opposite party no.4, we dispose of the writ petition with a direction to the opposite party no.4 to dispose of the representation of the petitioner under Annexure-2 series within a period of two months from today after giving an opportunity of hearing to the petitioner and communicate the result of

the decision taken to the petitioner.

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

A free copy of this order be handed over to the learned counsel for the State.

(S.K. Sahoo)
Vacation Judge

(M.S. Raman)
Vacation Judge



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