

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 14227 OF 2022

Sushant Kumar Sahoo ***Petitioner***

Mr. Amitav Tripathy, Advocate

-versus-

State of Odisha and others ***Opp. Parties***

Mr. D.K. Mohanty,

Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE M.S. RAMAN

ORDER

17.06.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioner in this writ petition is with regard to mis-utilization of Grant-in-Aid under different components for development of the roads for all weather connectivity.
3. Mr. Tripathy, learned counsel for the Petitioner submits that there is a proposal for development of the following roads utilizing Grant-in-Aid under different components as recommended by 5th State Finance Commission for the period from the year 2020-21 to 2025-26, which are stated hereunder:
 1. Dubapalli to Charimana Road (Sl.No.3681 of Letter No.9122 dated 08.06.2021).
 2. Dubapalli to Bhutabereni Road (Sl.No.3688 of Letter No.9122 dated 08.06.2021)
 3. Dubapalli Brahmani Devi Temple to Bhutabereni (Sl.No.4217 of Letter No.9114 dated 08.06.2021).
 4. Maintenance and improvement of C.C. Road from Suka Pokhari to Baraman Road (Sl.No.4217 of Letter No.9114 dated 08.06.2021).

5. Improvement from Suka Pokhari to Baraman Road (Sl.No.3697 of Letter No.9122 dated 08.06.2021).
6. Maintenance of Suka Pokhari Baraman Road (Sl.No.1000 of Letter No.9117 dated 08.06.2021).

4. Mr. Tripathy, learned counsel for the Petitioner further submits that by naming the small portion of a particular road by different names, Grant-in-Aid is being mis-utilized. In that regard, the villagers of village Bijipur under Bhapur Panchayat Samiti have made a representation to the Collector, Nayagarh on 11th April, 2022 as at Annexure-4. But no decision has yet been taken on the said representation and the same is still pending for consideration. Hence, finding no other alternative, the Petitioner has filed this writ petition for a direction to the Collector, Nayagarh to make an enquiry with regard to mis-utilization of Grant-in-Aid under different components as recommended by 5th State Finance Commission for the period from the year 2020-21 to 2025-26.

5. Mr. Mohanty, learned Additional Government Advocate submits that he has no instruction in the matter. Further, Annexure-4 does not close any acknowledgement of the said representation in the office of the Collector, Nayagarh. The grievance of the Petitioner can be considered, if he makes a fresh representation to the Collector, Nayagarh in that regard.

6. Taking into consideration the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case of the Petitioner disposes of this writ petition with a direction that in the event the Petitioner makes a fresh representation to the Collector, Nayagarh-Opposite Party No.2 ventilating his grievances with regard to mis-utilization of Grant-in-Aid under different components as recommended by 5th State

Finance Commission for the period from the year 2020-21 to 2025-26 along with certified copy of this order within a period of three weeks hence, he shall do well to consider the same in accordance with law as expeditiously as possible preferably within a period of three months therefrom and communicate the result thereof to the Petitioner, who, in turn, shall inform the villagers about the result.

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

(K.R. Mohapatra)
Vacation Judge

(M.S. Raman)
Vacation Judge



bks