

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.14296 OF 2022

Surjit Ghosh

....

Petitioner

Mr.S.P.Mishra, Sr.Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.S.P.Panda, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
20.10.2022**

Order No.

I.A.NO.14391 OF 2022

7. 1. Heard learned counsel for the Parties.
2. This Application has been filed in the disposed of Writ Petition raising further inconvenience in spite of clear direction involving the Writ Petition. In course of hearing, a statement is made by Mr.Panda, learned A.G.A. that in the meantime, there has been identification of the graveyard at a distance from the site involved. However, for there is no construction of particular structure for cremation purpose, the functioning of the graveyard could not be commenced.
3. Considering the pleading in this Application, this Court finds, there is serious allegation of utilization of the particular plot as graveyard even in spite of disposal direction in the Writ Petition. For

the clear direction involving the writ Petition, it becomes the responsibility of the Public Officer to see that the land involved in the Writ Petition should no further be utilized as graveyard. In the event, there is construction of the concrete roof required to be utilized for the purpose of graveyard, inter alia, burning of dead body, the B.D.O., Baranga, O.P.4 and the Tahasildar, Baranga, O.P.5 are directed to arrange minimum fund for construction and the construction should be completed within one and half months. Till the construction is completed, the cremation etc. can be performed under temporary shed. In the meantime, the temporary shed may be provided immediately.

4. In the circumstance, this Court further directs the Tahasildar, Baranga, and the I.I.C., Baranga P.S. to see that the disputed land is not utilized as graveyard.

5. I.A. stands disposed of accordingly.

(Biswanath Rath)
Judge

M.K.Rout