

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14452 of 2022

Bipin Maharana and others

...

Petitioners

Mr. M.K. Panda, Advocate

-Versus -

State of Odisha and others

....

Opposite Parties

*Mr. U.K. Sahoo,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

17.06.2022

W.P.(C) No.14452 of 2022 & I.A. No.7659 of 2022

Order No.

2.

1. This matter is taken up through hybrid mode.
2. The Petitioners have filed this present writ petition seeking the following relief:-

“In the circumstances the petitioners therefore humbly prayed that this Hon’ble Court may graciously be pleased to admit the writ application, issue Rule ‘NISI’ calling upon the opposite parties to show cause, as to why they shall not be directed to consider the grievance of the petitioners and to cause an enquiry in the mater and stop construction of Alikanta Anganwadi building in the objectionable site to save the mis-use of govt. fund/ public money and after following the due procedure to construct the new Anganwadi building within the vacant space available in the school campus

and also to consider reconstruction of the Club building which was unauthorisedly demolished forthwith in the interest of justice;

And / if the Opp. parties fail to show cause or show insufficient cause, make the said rule absolute by issuing appropriate Writ(s) in the facts and circumstances of the present case.”

3. In course of hearing, it is brought to the notice of the Court that ventilating the self same grievance, the Petitioners have approached the Collector by submitting a representation on 16.04.2022 enclosed as Annexure-5 series which is yet to be disposed of.
4. Since the Collector being the competent authority is to take decision at the first instance, without expressing any opinion on the merits of this case, the writ petition is disposed of directing the Collector, Jagatsinghpur to dispose of the representation within a period of two weeks from the date of production of copy of this order in accordance with law after affording proper opportunity of hearing to all concerned.
5. Till such time, status quo be maintained in respect of the land in question.
6. Urgent certified copy of this order be issued as per rules.

(Sashikanta Mishra, J)
Vacation Judge