

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 16135 OF 2022

Ramesh Sena

Petitioner

Mr. Sunil Kumar Panda, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opp. Party No.1)

Mr. Pabitra Mohan Pattajoshi, Advocate
(Caveator-Opp. Parties)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

13.07.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks for a direction for partial modification of the notification dated 13th January, 2015 (Annexure-1), which was published in the official gazette on 13th January, 2015, for establishment and drawal of high transmission line.
3. Mr. Panda, learned counsel for the Petitioner submits that high transmission line is being drawn over the residential plot of the Petitioner. Hence, he prays for a direction for partial modification of the said notification for realignment of high transmission line. In that regard, the Petitioner has made a grievance petition to the Senior General Manager (Construction), Zonal Office-II, OPTCL, Sambalpur-Opposite Party No. 2 as at Annexure-3, which is pending for

consideration. Hence, a direction may be made for early disposal of the same.

4. Mr. Pattajoshi, learned counsel for the Opposite Parties, on instruction, submits that no such petition has been filed before the Opposite Party No.2. He further submits that a civil suit bearing C.S. No. 126 of 2019 is pending before learned Senior Civil Judge, Jharsuguda in respect of the land in question and the interim application for injunction has already been dismissed in the said suit vide order dated 5th April, 2022 in I.A. No. 44 of 2019. However, the Petitioner may make a fresh representation to the Opposite Party No.2. In the event the Petitioner makes a fresh representation to the Opposite Party No.2, the same shall be considered in accordance with law.

5. 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 Senior General Manager (Construction), Zonal Office-II, OPTCL, Sambalpur-Opposite Party No. 2 within a period of fifteen days hence along with certified copy of this order, the same shall be considered in accordance with law as expeditiously as possible preferably within a period of two months therefrom and the result thereof shall be communicated to the Petitioner forthwith.

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

(K.R. Mohapatra)
Judge