

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26563 of 2017

***Zilla Nagarika Committee,
Deogarh***

....

Petitioner

Mr.B.K.Nayak, Advocate

-versus-

State of odisha and others

....

Opposite Parties

Mr.Ishwar Mohanty, ASC

**CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH**

**ORDER
19.10.2022**

Order No.

08.

1. A report has been received from the District Judge, Deogarh stating *inter alia* that the residential office of the S.D.J.M is at a audible distance from the shop rooms and it would create noise resulting in disturbance during performance of the official work. The S.D.J.M., Deogarh being the cognizance taking Magistrate, number of accused persons are being forwarded even on holidays and beyond office hours and there is no open space available in the vicinity except the space over which the shop rooms are under construction. It is stated that the Advocates, litigants and officials may face difficulties. Accordingly, the District Judge, Deogarh has opined that the construction of shop rooms in front of the quarters of the S.D.J.M, Deogarh would create nuisance. A sketch map has also been enclosed with the report. The report and the sketch map be placed on record and will form part of the record of this writ petition.

2. In view of the above report of the District Judge, this Court makes the interim order passed by this Court on 5th February, 2018 staying further construction of the market complex in front of the S.D.J.M quarters, Deogarh absolute. In other words, there shall be no construction of shop rooms in front of the S.D.J.M quarters and whatever construction has been made so far will be removed forthwith and in any event not later than four weeks from today.

3. The writ petition is disposed with the above direction.



B.C.Mohanty