

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17059 of 2022

Benudhar Seth

....

Petitioner(s)

Mr. R.N. Behera,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE BISWANATH RATH

ORDER

14.07.2022

Order No.

01.

1. This writ petition involves the following prayer:-

“It is therefore prayed that this Hon’ble Court be graciously pleased to issue Rule NISI, calling upon the Opp.parties as to why the Opp.parties shall not be directed to stop the construction work of road passing through private land of the petitioner and others recorded tenants of Khata No.493 and why the work order at Annexure-2 shall not be cancelled and why the land under Plot No.1529 and 1532 of Khata No.493 shall not be handover to the petitioner and other tenants for their use and why the B.D.O shall not be directed to take action against the Sarpanch-O.P.No.3 as per the grievance of the petitioner and others under Annexure-3 and in the event the Opp.parties fail to show cause or show insufficient or false cause make the Rule NISI absolute and allow the writ petition with cost;

And may further be pleased to pass any other order(s), direction(s) as deem fit and proper to this Hon’ble Court;”

2. Considering the submissions made by the parties and as a representation at the instance of the Petitioner on the selfsame issue

is still pending before the Opposite Party No.2, this Court directs the Opposite Party No.2 to consider the representation at the instance of the Petitioner vide Annexure-3 and take a lawful decision in the matter taking into account the grounds stated in this writ petition so also the documents appended thereto and if necessary, also involving the parties likely to be affected.

3. The entire exercise shall be completed within a period of one month from the date of communication of an authenticated copy of this order along with a copy of the writ petition by the Petitioner.

4. The writ petition stands disposed of with the above order.

(Biswanath Rath)
Judge

Ayaskanta Jena

