

IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No.568 of 2021

***Jayadev Tower Apartment Owner
Association***

Appellant

Mr.S. Tibrewal, Advocate

-versus-

Satya Sekhar Rath and others

Respondents

Mr. D.N. Mohapatra, Advocate for BDA

Mr. B.K. Dash, Sr. Advocate for BMC

Mr. Samir Kumar Mishra, Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

22.09.2022

Order No.

02.

1. The challenge in the present writ appeal are to some interim orders passed by the learned Single Judge in W.P.(C) No.20212 of 2019. Without going into the merits of the contentions, the Court would like to observe that one of the grievances of the writ Appellant is that the debris lying in the premises has not still been cleared.

2. Mr. Samir Kumar Mishra, learned counsel for the Respondents in the appeal maintains that the debris has been cleared and further states that in the event there is any violation of the orders passed by the learned Single Judge appropriate proceedings can be instituted by the Appellant for that purpose. Learned counsel for the BMC assures the Court that the debris will be cleared, if not already done.

3. The Court is not inclined to interfere with the impugned orders of the learned Single Judge at this stage and therefore the writ appeal is disposed of. However, it is requested that the writ petition be heard expeditiously and disposed of as early as possible. For this purpose the writ petition now be listed before the roster Bench of the learned Single Judge on 30th October, 2022.



KC Bisoi