

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.22134 OF 2021

***Jai Santoshi Maa Infrastructure Pvt.
Ltd.***

Petitioner

Mr.K.B.Panda, Adv.

-versus-

State of Odisha & ors.

.... Opposite Party(s)

Mr.R.P.Mohapatra, AGA
Mr.Panigrahi, Adv. for O.P.3
Mr.G.Mishra, Sr.Adv. for O.P.4

**CORAM:
JUSTICE BISWANATH RATH**

**Order
No.**

**ORDER
16.2.2022**

4. 1. Heard learned counsel for the Parties.
2. In course of submission and keeping in view the allegation of the learned counsel for the Petitioner that during pendency of the Writ Petition and for continuance of the interim protection, the Authority is time and again harassing the Petitioner, through Annexure-15, it has been brought to the notice of this Court that for the scope being available to the Petitioner at the issuing of notice at Annexure-15 providing opportunity to appear and have his case before the Competent Authority, the case is claimed to be a premature one.
3. Considering such submission and keeping in view the claim of Mr.Panigrahi, learned counsel for the PKDA and perusal of the document at Annexure-15, this Court finds, in fact, vide Annexure-

15 there has been issuing of notice involving Unauthorised Construction Case No.13/2019, the Petitioner as well as other persons involved have all been directed to participate in hearing of the proceeding involved therein and raise their objection on 16.7.2021. There is admission by Mr. Panigrahi that the proceeding involved is still pending. It is keeping this in view, while observing the Writ Petition is premature at this stage and for the Petitioner having the scope to contest by agitating its objection through the proceeding at Annexure-15, this Court in disposal of the Writ Petition permits the Parties to file their respective objections, vide Unauthorised Construction Case No.13/2019 along with copy of this order within fifteen days from today. Based on receipt of the objections from the respective Parties, the Secretary, PKDA, O.P.3 shall do well in intimating all the Parties the date of hearing of the said case and concluding such proceeding by providing presently opportunity of hearing to each of the Parties in contest. O.P.3 is also directed to conclude the proceeding at least within a period of six months from the date of communication of this order. Till final outcome in the Unauthorised Construction Case No.13/2019, the Parties involved herein are to maintain status quo in respect of construction as well as status of the property involved herein.

(Biswanath Rath)
Judge

M.K.Rout