

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.19539 OF 2022

Bijay Kumar Dash @ Das

....

Petitioner

Mr.D.Senapati, Adv.

-versus-

***Secretary, BBSR Development
Authority & ors.***

....

Opposite Party(s)

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
8.9.2022**

Order No.

01. 1. Heard learned counsel for the Petitioner.
2. This Court does not find any plausible reason in not approaching the appellate authority and directly approaching this Court in spite of a statutory remedy of appeal available.
3. Learned counsel for the Petitioner contends, the Petitioner is since critically ill unable to move the appellate court.
4. For the opinion of this Court, if a person can move to High Court, there is no reason to approach the appellate court. In the circumstance, while declining to entertain the matter at this stage and for complete efficacious remedy by way of statutory appeal, this Court declines to entertain the Writ Petition but however liberty is given to the Petitioner to file appeal against the order under

Annexure-6 at least within ten days from today along with delay condonation petition. In that event, delay will be condoned and the appeal will be heard on its own merit.

5. The Writ Petition stands disposed of accordingly.

(Biswanath Rath)
Judge

M.K.Rout

