

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.23691 OF 2021

Braja Kishore Baliarsingh ***Petitioner(s)***
Mr.A.K.Pandey,Adv.

-versus-

State of Odisha and others ***Opposite Party(s)***
Mr.U.K.Sahoo,ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
15.12.2022

Order No.

05. 1. Heard learned counsel for the Parties.
2. Background involving the case is for pendency of the representation involving the demand on the outstanding rent against the Petitioner, finding no respite, Petitioner got compelled to approach this Court by filling W.P.(C) No.16548 of 2016 which matter came to be finally disposed of by the order of this Court on 13.05.2019 directing for giving result to the representation pending, but however with deposit of 50% of demand. Through the pleadings in para-27 Petitioner claims following the direction in disposed of Writ Petition, Petitioner has deposited a sum of Rs.8,38,534/- in favour of Opposite Party No.4 on 10.01.2020 and also deposited a further sum of Rs.1,00,000/- in two instalments subsequently. Petitioner also files such proof vide Annexure-8. In the meantime as the Petitioner did not get any response from the Transport Authority, Petitioner appears to have compelled to make another representation vide Annexure-9, claims to be pending.

The representation at Annxure-9 appears to have been submitted to the Principal Secretary to Government, Commerce and Transport Department on 10.01.2020. Demand involved herein vide Annexure-10 appears to have been issued on 31.12.2020, Petitioner is not disclosing as to any development of his application at Annexure-9. However Annexure-10 since issued on 31.12.2020, prima facie appears to be in consideration of the request of the Petitioner.

3. For the Petitioner is still pursuing in his challenge to the demand and as this Court finds, there is no correspondence by way of response to the Petitioner's request involved herein, this Court declines to interfere at this stage, but however observes in the event there is no response to the Petitioner pursuant to the representation vide Annexure-5 let the Principal Secretary to Government, Commerce and Transport Department- Opposite Party No.1 sitting together with the Chairman-cum- Managing Director, Odisha, State Road Transport Corporation to communicate their view in response to the request of the Petitioner vide Annexure-9 provided further Petitioner deposits a sum of Rs.8,00,000/- and submit the proof showing deposit along with copy of order to the Principal Secretary to Government, Commerce and Transport Department to their view and/or response at Annexure-9 shall be communicated to the Petitioner by undertaking such exercise at least within a period of three weeks from the date of receipt of copy of this order. In the event Petitioner deposits their

4. Considering that the Malatipatapur bus stand could not be effective for no shifting of the Puri bus stand to the Malatipatapur bus stand from Puri, this Court hopes and expects the Transport Commissioner and the Managing Director, Orissa State, Road Transport Corporation shall appreciate the difficulty in running of the

shops in the newly constructed Malatipatapur bus stand and take a reasonable view in the matter of demand.

5. The Writ Petition stands disposed of with the above observation.

(Biswanath Rath)
Judge

Swarna

