

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20990 of 2022

Maheswar Patra

.... ***Petitioner(s)***

Mr. U.C. Behura,
Advocate

-versus-

State of Odisha & Ors.

.... ***Opposite Party(s)***

Mr. U.K. Sahoo,
Addl. Standing Counsel for O.P.1
Mr. S. Mohanty,
Advocate for O.Ps.2 & 3

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
06.09.2022**

Order No.

01.

1.

Petitioner has prayed for the following relief:-

“It is, therefore, prayed that this Hon’ble Court may graciously be pleased to admit this writ application and issue notice to show cause why the notice dtd.21.07.2015 Annexure-3 shall not be quashed as illegal and on failure to show sufficient cause, the impugned notice may be quashed as illegal and the Opp. Party No.3 may be directed to handover the possession within a month.

And pass such other order/ orders, direction/ directions that may be deemed fit and proper in the facts and circumstances of the case.”

2. Drawing the attention of this Court to the pendency of the claim of the Petitioner vide Annexures-4 & 5, learned counsel for the Petitioner sought for coverage of this matter by the judgment of this Court in W.P.(C) No.5274 of 2022.

3. Learned counsel for the Opposite Party-Cuttack Development Authority has no hesitation with regard to the consideration of the case of the Petitioner by the Cuttack Development Authority keeping in view the direction of this Court in W.P.(C) No.5274 of 2022.

4. Considering the rival contentions of the parties, this Court disposes of this Writ Petition with a direction to the Opposite Party Nos.2 & 3 to consider the request of the Petitioner and take a lawful decision in the matter keeping in view the direction of this Court given in W.P.(C) No.5274 of 2022 on 19.07.2022. It is further directed that in the event it appears, the case of the Petitioner is squarely covered by the decision of this Court in W.P.(C) No.5274 of 2022, necessary steps shall also be taken for handing over of the possession of the disputed property to the Petitioner.

5. Entire exercise shall be completed within a period of two months from the date of communication of a certified copy of this order along with a copy of the writ petition by the Petitioner.

6. The Writ Petition stands disposed of with the above order.

(Biswanath Rath)
Judge