

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.21613 OF 2022

Manoranjan Mohapatra

....

Petitioner

Mr.Sk.Zafarulla, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.S.P.Panda, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
25.8.2022**

Order No.

01. 1. Heard learned counsel for the Parties.
2. The Writ Petition involves the following prayer :-

“The Petitioner therefore prays that your Lordships may graciously be pleased to consider the facts stated in the writ petition, admit the same, issue Rule Nisi as to why a writ of Mandamus shall not be issued directing the Opp.Parties more particularly to Opp.Party No.3 not to construct CRC (Community Recreation Centre) over the land at Maa Barapada Naikani Temple, Paikasahi under Ward No.13 pertaining to Plot No.798 area of Ac.0.380 decimals under Khata No.113, Mouza-Mobarakpur Unit-14;

And if the opposite parties fail to show cause or show insufficient cause then makes the absolute;

And pass any other order(s)/direction(s) as your Lordships may deem fit and proper.”

3. For the nature of relief sought for and for pendency of the application at the instance of the Petitioner, vide Annexure-3 on the selfsame grounds, this Writ Petition is not entertainable at this stage and the same stands disposed of directing O.P.3 to look into the request of the Petitioner, vide Annexure-3 and pass appropriate orders on the same keeping in view the claim of the Petitioner on the alleged construction being undertaken over his personal property also taking into consideration the grounds raised in this Writ Petition so also the documents appended thereto within a period of one and half months from the date of communication of this order by the Petitioner. This Court further directs, in the event the alleged construction has not commenced as of now, there should be status quo in respect of the disputed property till disposal of the representation of the Petitioner.

(Biswanath Rath)
Judge

M.K.Rout