

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.23120 of 2022

Sk. Abdul Rihan

....

Petitioners

Mr. R. Mohanty,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S.P. Panda,
Addl. Govt. Adv.

CORAM:
JUSTICE BISWANATH RATH

ORDER
13.09.2022

Order No.

01. 1. Petitioner has a serious request involving construction of an underground drain over the Stitiban land of the Petitioner by the Opposite Party Nos.2 & 3.
2. Taking this Court to the plea taken in the Writ Petition Mr. Mohanty, learned counsel for the Petitioner attempted to make a case on behalf of the Petitioner that decision for the same purpose has been taken by the competent authority without involving the parties likely to be affected.
3. Considering the submission made by the learned counsel for the Petitioner, this Court instead of entering into any such controversies at this stage, disposes of this Writ Petition with a direction to the Opposite Party Nos.2 & 3 to look into the request of the Petitioner vide Annexure-2 and take a lawful decision in the matter involving the Petitioner.

4. It is further directed that if the construction of the underground drainage system has not commenced as yet, construction of the said drain shall be stalled for a period of one month and within which period a lawful decision on the request of the Petitioner shall be taken.

5. Petitioner is directed to serve a copy of this order along with a copy of the Writ Petition on the Opposite Party Nos.2 & 3 within a period of ten days hence.

Ayaskanta Jena

(Biswanath Rath)
Judge

