

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.25896 of 2022

Ashok Kumar Patnaik

Petitioner
Mr. A. Pr. Ray, Advocate

-versus-

State of Odisha and others

Opp. Parties
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.11.2022

Order No.

I.A. No.15462 of 2022

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner as well as learned counsel for the State.
 3. This is an application for modification of the order dated 27.10.2022.
 4. It is submitted by learned counsel for the petitioner that in 4th and 5th lines of paragraph-7 of the order dated 27.10.2022 passed in W.P.(C) No.25896 of 2022, direction has been given to the “Executive Officer, Gudari-Opposite Party No.6 to consider the representation of the petitioner dated 11.04.2014 under Annexure-4 series.” In fact, “Executive Officer, Gudari-Opposite Party No.6” is not the competent authority to consider the representation of the petitioner and the “Director, Municipal Administration, Housing and Urban Development Department-Opposite Party No.3 is the competent authority for consideration of the representation of the petitioner under Annexure-6 series dated 03.08.2022” and he can

take a decision in the matter. Hence, modification has been prayed for.

5. Considering the submissions made by learned counsel for the petitioner, paragraph-7 of the order dated 27.10.2022 is hereby recalled and the following new para-7 be inserted in its place;

“7.Considering the aforesaid submissions made by the parties and limited nature of grievance, further taking into consideration the matter is pending before the authorities, this Court disposes of the writ petition at the stage of admission with a direction to the petitioner to file a fresh representation highlighting his grievances along with copies of the relevant documents in support of his claim before the Director, Municipal Administration, Housing and Urban Development Department-Opposite Party No.3, who is the competent authority to consider the representation of the petitioner under Annexure-6 series dated 03.08.2022, within a period of two weeks from today. In the event such a representation is filed within the aforesaid period, while considering the representation of the petitioner, the same shall be disposed by passing a speaking and reasoned order within a period of eight weeks from the date of filing of fresh representation. Any decision taken on the same shall be communicated to the Petitioner within a period of two week thereafter.”

Rest part of the order shall remain intact.

6. The I.A. is disposed of accordingly.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

