

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.26699 of 2022

Premika Meher

....

Petitioner

Mr.S.K.Joshi Advocate

-versus-

State of Odisha and Others

....

Opp. Parties

Mr. D.K.Mohanty, ASC

CORAM:

JUSTICE BISWAJIT MOHANTY
JUSTICE SAVITRI RATHO

ORDER

17.10.2022

Order No.

01. 1. Heard Mr.Joshi, learned counsel for the petitioner and Mr.Mohanty, learned Additional Standing Counsel.
2. According to Mr.Joshi, the late husband of the petitioner was the owner of Plot Nos.1702, 1689/6045, 2599/6049, 1683, 2596/6046 pertaining to Holding No.578/786 of Mouza:Patnagarh 'Ka', Plot No.1692, pertaining to Holding No.578/555 of the same Mouza, in toto, covering an area of Ac.10.270 decimals. A part of the above noted land got affected due to construction of drain over a portion of the above noted land. Later on account of linkage of drains, entire drain water of Patnagarh N.A.C. is being released to rest portion of the land and as on today water stagnates on the

entire land rendering the same useless. As a result the family of the petitioner who is mainly dependent upon the above noted agricultural land for their income is facing financial ruin. Though the petitioner has approached the authorities for payment of compensation on account of such activity of Patanagarh N.A.C., however, during course of hearing, Mr. Joshi submits that liberty may be granted to the petitioner to file a grievance petition before the Principal Secretary, Department of Housing and Urban Development, Government of Odisha (opposite party No.1) and further prays that the said opposite party be directed to take a decision on such motion within a stipulated time period.

3. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to file a comprehensive representation before the Principal Secretary, Department of Housing and Urban Development, Government of Odisha (opposite party No.1) within a period of two weeks along with a copy of this order and a copy of the legal heir certificate of the recorded tenants by Registered Post. In the event, such a representation is received by the above noted officer, he/she is directed to take a decision on such representation in accordance with law, within a period of three months from the date of receipt of the certified copy of this order, keeping in mind the interest of the legal heirs of the recorded tenant and communicate the result of such exercise to the petitioner.

4. With the above observation and direction, the writ petition is disposed of.
5. Urgent certified copy of this order be granted as per rules.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

Bichi



