

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 27004 of 2022

Niranjan Nayak

.....

Petitioner

Mr.P.C.Jena, Advocate

Vs.

State of Odisha & Others

.....

Opposite Parties

Mr. H.M.Dhal, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

24.11.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. P.C.Jena, learned counsel for the Petitioner and Mr. H.M.Dhal, learned Addl. Government Advocate for the State.

3. The present Writ Petition has been filed with the following prayer:-

“It is therefore prayed that let this Hon’ble Court may graciously pleased to admit this writ application, issue Rule Nisi, in calling upon the Opposite Parties to file show cause as to why the impugned order/letter No.3704, dated 28.9.2022 under Annexure-9 regarding cancellation of Amemuhin Stone Quarry under Nuagaon Tahasil shall not be quashed/set aside and as to why a direction shall not be issued for consideration of the representation of the petitioner dated 27.9.2022 under Annexure-8 with immediate effect and

If the Opposite Parties are fail to show cause or show their insufficient cause let this Hon’ble Court make the said rule absolute and upon hearing the parties quash/ set aside the impugned Order/Letter No.3704, dated 28.9.2022 under Annexure-9 issued by the Opposite Party-Tahasildar, Nuagaon regarding cancellation of the Stone Quarry of the petitioner of Amemuhin Stone Quarry of Nuagaon Tahasil in vis-à-vis directing for consideration of the representation of the petitioner dated 27.9.2022 under Annexure-8 with immediate

effect for the greater interest of justice”.

4. In course of hearing, learned counsel for the Petitioner states that highlighting his grievances, the Petitioner has made a representation to Opposite Party No.3 vide Annexure-10 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.3 to consider the representation filed by the petitioner vide Annexure-10, and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat