

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.32601 of 2021

Prahallad Mohapatra

....

Petitioner(s)

Mr.B.C.Ghadei, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr.R.P.Mohapatra, AGA.

CORAM:

JUSTICE BISWANATH RATH

ORDER

03.01.2022

Order No.

1.

1. Heard learned counsel appearing for the parties.

2. This writ petition involves the following prayer:

“It is, therefore, prayed that, in the premises stated above, this Hon’ble court may be graciously pleased to admit this case, issue notice to the Opposite Parties, after hearing all the parties to this writ petition may further be pleased to direct the Opp. Parties not to construct Metallic road on the schedule plot of the petitioner, situated on the Khata No.160, plot no.186, Kisam-Sarada-2, Area-A.0.450 dec, in the District of Bhadrak, P.S.-Dhusuri, Tahasil-Dhamnagar, Mouza-Bayangdihi, for construction of Grade-1 Metallic Road from Nuagaon Gochayat Sahi to PWD Road via Kulu Jena House (2417007/RC/10441266) under Mahatma Gandhi National Rural Employment Guarantee Act, in case of his eviction from the above mentioned plot, he may be compensated by the government as per the present market price;

And may pass any other order/orders, direction/directions as this Hon’ble Court may deem fit and proper;

And for this act of kindness, the petitioner as in duty bound shall ever pray;

3. Looking to the limited request involved herein and as this Court finds the representation of the petitioner vide Annexure-3 series is pending before the Collector, Bhadrak-opposite party no.2 on the self

same issue, the writ petition though not entertainable at this stage however disposes of the same with a direction to the Collector, Bhadrak to look into the grievance of the petitioner through Annexure-3 series at page 11 of the brief and take decision, as appropriate, in accordance with law involving the petitioner by completing the entire exercise within a period of six months from the date of communication of certified copy of this order and copy of the writ petition by the petitioner. Petitioner is directed to communicate the certified copy of this order and copy of the writ petition before the Collector, Bhadrak at least within a period of seven days hence and take the date of hearing from the Collector.

(Biswanath Rath)
Judge



Sks