

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 28767 of 2022

Kamal Lochan Mohanty

.....

Petitioner

Mr.S.R.Mohanty, Advocate.

Vs.

State of Odisha & Others

.....

Opposite Parties

Mr. P.P.Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

10.11.2022

Order No.

02.

This matter is taken up through hybrid mode.

2. Heard Mr. S.R.Mohapatra, learned counsel for Petitioner and Mr.P.P.Mohanty, learned counsel appearing for State-Opposite Parties.

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

“(i) Direct the Opp. Party-State Authorities to take action with respect to the representations dated 29.10.2021 and 21.06.2022 vide Annexure-11 and Annexure-12 respectively vis-à-vis the M/s.M.G.Mohanty, partnership firm for gross illegalities committed thereto in contravention of Rules 24 read with Rules 61 of the MCR, 2016 and terminate the mining lease deed vide Annexure-6 and Annexure-7 granted to the M/s.M.G.Mohanty for such gross violations.

(ii) Further direct the Opposite Party State Authorities to stop all the mining operations of the Opposite Party No.4 for being completely in violation of the law mandated under the MMDR Act, 1957 and MCR, 2016.

(iii) issue any other writs or orders or directions as this Hon’ble Court may deem it fit, appropriate and proper”.

4. In course of hearing, learned counsel for the Petitioner states that

highlighting the grievances, the Petitioner has made a representation to Opposite Party No.1 vide Annexures-11 & 12 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.1 to consider the representation filed by the petitioner vide Annexure-11 & 12, and pass appropriate order in accordance with law within a period of six 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