

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.34767 of 2021

Sarat Chandra Choudhury *Petitioner(s)*
Mr. B. Nayak,
Advocate

-versus-

BDA, BBSR & Ors. *Opposite Party(s)*
Mr. D. Mohapatra,
Advocate

CORAM:
JUSTICE BISWANATH RATH

ORDER
26.07.2022

Order No.

06.

1. Petitioner claims that the subject involved herein relates to discretionary quota but single allotted discretionary quota. This Court in disposal of W.P.(C) No.5274 of 2022 on 19.07.2022 has come to hold that there is no requirement of taking into account such allotment for appropriate inquiry involving cancellation pursuant to the Task Force recommendation.

2. Mr. Mohapatra, learned counsel for the B.D.A. raises a doubt as to whether the case at hand involves single allotted discretionary quota or not?

3. Be that as it may, this Court observes, the Petitioner being a single allottee under the discretionary quota should get the benefit of judgment in W.P.(C) No.5274 of 2022. This Court thus directs, let the Bhubaneswar Development Authority first conduct an inquiry and thereafter to find-out; if the case involved relates to single allotment and if it is found that the Petitioner's allotment comes under single

discretionary quota and is covered by the judgment of this Court passed in W.P.(C) No.5274 of 2022 on 19.07.2022, then appropriate exercise shall be undertaken on the request of the Petitioner for transfer of such property in favour of the Opposite Party No.4 and a lawful order shall be passed thereafter.

4. The entire exercise shall be completed within a period of two months from the date of communication of an authenticated copy of this order by the Petitioner.

5. The writ petition stands disposed of accordingly.

(Biswanath Rath)
Judge

Ayaskanta Jena

