

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29842 of 2022

Mamata Samal

....

Petitioner(s)

Mr. B.K. Behera 1,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr. S. Mishra,
Addl. Standing Counsel

CORAM:

JUSTICE BISWANATH RATH

ORDER

14.11.2022

Order No.

01.

1. Through the Writ Petition a serious allegation is made that involving a complaint by the Petitioner to the public grievance of the Collector & District Magistrate, Cuttack in 2017, though an inquiry was progressed to some extent resulting a notice to the party creating inconvenience vide Annexure-2, however there is no finalization of such issue. At this stage learned counsel for Petitioner claims, there is serious inconvenience to the Petitioner for running of a toilet by the private Opposite Party concerned and therefore a complaint is made involving removal of such construction.

2. Considering the submission made by the learned counsel for Petitioner and looking to the grievance involved herein, this Court finds, taking a decision on this issue by the appropriate authority should not take so much time. Be that as it may, for the nature of issue involving the private Opposite Party, this Court observes, there may be finality to such proceeding forthwith but however, providing principle

of natural justice to the parties likely to be affected and if necessary conducting an inquiry to find-out, if continuance of the toilet by the private opposite party in fact causes inconvenience to the Petitioner or in the locality or any person in the locality.

3. The entire exercise shall be completed within a period of three months from the date of communication of a certified copy of this order by the Petitioner.

4. The writ petition stands disposed of with the above order.

(Biswanath Rath)
Judge



Ayaskanta Jena