

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.29916 OF 2022

Dhaneswar Rout

....

Petitioner(s)
Ms.P.Naidu,Adv.

-versus-

State of Orissa and others

....

Opposite Party(s)
Mr.S.P.Panda,AGA
Mr.D.Mohapatra,Adv.

CORAM:
JUSTICE BISWANATH RATH

ORDER
22.11.2022

Order No.

02.

1. Heard learned counsel for the Parties.
2. This Writ Petition involves the following prayer:-

“The Petitioner therefore most humbly prays that this Hon’ble Court be graciously pleased to admit the writ application, issue notice to the Opposite Parties and upon hearing the parties be pleased to direct the Opposite Parties no 2 and 3 to accord permission for transfer of “C Category”, Plot no. 13-1C/233, in Markat Nagar, Sector 13 CDA, Bidanasi Project, Cuttack;

AND/OR declare the resolution dated 30.01.2015 issued by the Government of Orissa General Administrative Department in taking a decision that BDA/CDA/OSHB should cancel all allotments of Plots/House/ Flat in the discretionary quota under different scheme as illegal arbitrary.

AND/ OR to pass such other order/s, direction/s as this Hon’ble Court may deem fit and proper under the facts and circumstances of the present case.

AND for this act of kindness the petitioner shall as in duty bound ever pray.”

3. Undisputedly, the case involves a single allotment under the discretionary quota. Similar case has already been considered by disposal of W.P.(C) No.5274 of 2022 on 19.07.2022. Direction therein shall govern the case of the Petitioner, as a consequence, this Court interfering in the notice at Annexure-4, sets aside the same and directs the Development Authority to cover the case under the direction involved in W.P.(C) No.5274 of 2022 and proceed accordingly taking into consideration the request of the Petitioner vide Annexures-5 and 6 by completing such exercise within a period of one and half months.

4. The Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Swarna

