

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WP(C) NO.37262 OF 2021**

***Akrura Pradhan & ors.***

....

***Petitioners***

Mr.H.Mohapatra, Adv.

*-versus-*

***State of Odisha & ors.***

....

***Opposite Parties***

Mr.U.K.Sahoo, ASC

**CORAM:  
JUSTICE BISWANATH RATH**

**ORDER  
30.11.2022**

**Order  
No.3.**

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

“It is, therefore, prayed that your Lorshsips shall be graciously pleased enough to admit the aforesaid Writ Application, issue writ of mandamus issuing Rule Nisi calling upon the Opp.Parties particularly the Opp.Party No.2 and Opp.Party No.5 to show cause as to why direction shall not be given to the O.P. No.5 not to raise construction of building of Garapada Anganwadi Centre over the Gochar land under Annexure-1, considering the aforesaid facts and circumstances. If the Opp.Parties do not show cause or show insufficient cause Rule NISI may be made absolute.”

3. In sum and substance, the Writ Petition involves allegation of illegal construction of Anganwadi Centre over gochar land but however without any disclosure, as to whether the Petitioners have any cow to graze on such land. Further in filing counter, there has been disclosure showing the extent of construction already involved therein by filing

photocopy of the construction stage, vide Annexure-B/5. It is also brought to the notice of this Court that in the meantime, there has been de-reservation proceeding involving carving out of a portion of gochar land for the purpose of construction of Anganwadi Centre. There is no dispute to the above developments at the Bar. Undisputedly, there has been lot of spending of public money in bringing an Anganwadi Centre, which is in the interest of the locality.

4. Looking to the stage of construction attended in the meantime and further construction involving public purpose and in the help of larger interest of the beneficiaries involving such Institution, this Court is not inclined to entertain the Writ Petition, which is dismissed accordingly.

*M.K.Rout*

**(Biswanath Rath)**  
**Judge**