

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.32560 OF 2022

Pramodini Dash

....

Petitioner(s)

Mr.A.Mohanty,Adv.

-versus-

The State of Odisha and others

....

Opposite Party(s)

Mr.S.Ghosh,AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER

13.12.2022

Order No.

02.

1. Heard learned counsel for the Parties.
2. Giving reference to the advantage to the plot of the Petitioner being corner plot through documents at page-18 and assurance at page-21 of the brief challenge herein involving the action of the development authority in constructing a wall as well as the park. It is alleged there is attempt to virtually take out one of the entrance already available to the Petitioner thereby taking out the liberty granted by the development authority in favour of the Petitioner in favouring him with a corner plot. Finding difficulty and taking out some of the existing right without involvement of the Petitioner further without any justified reasoning, it appears Petitioner has made a representation to the Vice Chairman, BDA, Bhubaneswar with copy to the Secretary, BDA, Bhubaneswar finds place at Annexure-10 claimed to be still pending.
3. On the selfsame issue the representation at the instance of the Petitioner is pending consideration of Vice Chairman, BDA, Bhubaneswar with copy to the Secretary, BDA, Bhubaneswar, the

Writ Petition may not be entertainable at this stage. However for the pendency of the representation of the Petitioner vide Annexure-10, this Court in disposal of the Writ Petition directs the Secretary, BDA, Bhubaneswar to take decision as appropriate in the involvement of the Petitioner, further also keeping in view, if the action undertaken by the development authority, any of the right already accrued to the Petitioner is being taken away. Inquiry as well as decision on the issue may be taken within a period of one month from the date of communication of this order by the Petitioner. There shall be status quo in the construction undertaken if it is affecting the access of the Petitioner towards the National Highway side.

4. The Writ Petition thus stands disposed of.

(Biswanath Rath)
Judge

Swarna

