

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 33920 of 2022

Bhanja Kishore Pattnaik

.....

Petitioner

Mr. A.C. Mohanty, Adv.

Vs.

State of Odisha and another

.....

Opposite Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

14.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking to quash the order dated 06.09.2022 under Annexure-2.

4. Mr. A.C. Mohanty, learned counsel for the petitioner contended that against the aforesaid order of demolition, the petitioner has preferred an appeal bearing Appeal No.50 of 2022, which is pending consideration. It is contended that even though in the appeal the petitioner filed interim application for grant of interim protection, the same was not taken up by the authority. Thereby, there is immense threat of demolition of his structure standing over the plot in question.

5. Mr. A.K. Mishra, learned Addl. Government Advocate appearing for the State-opposite parties contended that since the interim application of the petitioner is till pending before the authority, this Court may dispose of the writ petition directing the authority to dispose of the interim application as expeditiously as possible, so that the petitioner will not face any difficulty.

6. Having heard learned counsel for the parties and after going through the records, this Court directs that if the interim application of the petitioner is still pending before the authority in Appeal No.50 of 2022, as has been stated by learned counsel for

the petitioner, the appellate authority shall do well to dispose of the same and pass appropriate order in accordance with law within a period of two weeks hence by affording opportunity of hearing to the petitioner.

7. With the above observation and direction, the writ petition stands disposed of.

Issue urgent certified copy as per rules.

Ashok

(DR. B.R. SARANGI)
JUDGE

