

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.34809 OF 2022

Chandan Prasad Mohanty **Petitioner(s)**
Mr.S.C.Puspalaka,Adv.

-versus-

State of Odisha and others **Opposite Party(s)**
Mr.U.K.Sahoo,ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER

21.12.2022

Order No.

01.

1. Heard learned counsel for the parties.
2. There is serious allegation that even after a portion of the land of the Petitioner is decided to be taken under Land Acquisition proceeding and when the process is on as established through Annexures-6, 7, 8 and 9 and in absence of finality to such proceeding involving acquisition of such land, the Municipality has already started undertaking the construction of drain even in clear deviation of the comprehensive development plan vide Annexure-9 and it is alleged that such construction is affecting the running of the petrol pump of the Petitioner.
3. It appears, on the selfsame issue the Petitioner has already submitted a complaint to the Commissioner, Bhubaneswar Municipal Corporation since 24.11.2022 and the same is stated to be pending before the competent authority. In the process while keeping in view the serious allegation of damaging the prospect of a running petrol pump, this Court directs the Commissioner, Bhubaneswar Municipal Corporation to take a call on the request of the Petitioner and if

necessary conduct an appropriate inquiry with the involvement of the Petitioner and pass appropriate order within a period of fifteen days from the date of communication of certified copy of this order by the Petitioner. In the event no construction is commenced involving the petrol pump, there shall be status quo in respect of the construction over the land of the petrol pump to be maintained for a period of three weeks.

4. With this observation, the Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Swarna

