

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 34940 of 2022

Charan Biswal

.....

Petitioner

Mr.N.Lenka, Advocate

Vs.

State of Odisha & Others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

22.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard.

3. The present Writ Petition has been filed with the following prayer:-

“The petitioners therefore, prayed that this Hon’ble Court would graciously be pleased to admit the writ petition, issue Rule Nisi in the nature of writ of mandamus or any other writ(s) as deem fit and proper calling upon the Opp. Parties to show cause as to why the diversion of proposed construction of road from Guru Kelucharan Park to Patia Railway Station, in Bhubaneswar town, as per the map vide Annexure-5, from the eastern side to South Western corner of the proposed land use plan (final proposal) under Annexure-4 shall not be implemented/carried out and the modified proposal for taking the said road over the private land of the petitioner shall not be quashed and as to why they shall not be directed to construct the road in question as per original plan under Annexure-4 and/or to explore availability of Govt. and Private land lying fallow nearby the diverted road to avoid/minimize displacement”.

4. In course of hearing, learned counsel for the Petitioner states that highlighting his grievance, the Petitioner has made a representation to

Opposite Party No.3 vide Annexure-7 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.3 to consider the representation filed by the petitioner vide Annexure-7, and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE



Subrat