

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 35234 of 2022

Saroj Kumar Behera

.....

Petitioner

Mr.A.N.Pattanayak, Advocate

Vs.

*Collector & D.M., Angul &
Another*

.....

Opposite Parties

Mr. P.P.Mohanty, AGA

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:-

“(i) The notice dated 29.10.2022 under Annexure-5 and notice dated 08.12.2022 under Annexure-9 issued by the Tahasildar, Reamal shall not be quashed being declared as illegal and arbitrary and unsustainable in the eye of law.

(ii) The action of the Opposite Parties more particularly Opposite Party No.2(Tahasildar, Reamal) for non-issuance of Environment Clearance Certificate and not permitting the petitioner to lift the Sands from Kundheigola Sand Quarry for the year 2021-22 to 2025-26 as per the agreement shall not be declared as illegal, arbitrary and unreasonable.

(iii) A specific direction shall not be issued to the Opposite Parties to grant permission for lifting of 4100 cubic meter of sand from Kundheigold Sand Quarry for the year 2021-22 with immediate effect”

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.2 vide Annexure-10 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.2 to consider the representation filed by the petitioner vide Annexure-10, 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