

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 35549 OF 2022

M/s. Jayaguru Saw Mill, ***Petitioner***
Jagatsinghpur

Mr. Subas Chandra Das, Advocate
-versus-

State of Odisha and others ***Opp. Parties***

Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
23.12.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. 2. The petitioner in this writ petition seeks for a direction to the Principal Chief Conservator of Forests, Odisha, Bhubaneswar- Opposite Party No.3 for allotment of a land in favour of the petitioner-Saw Mill for the purpose of rehabilitation in the Notified Industrial Estates within a stipulated period.
3. 3. It is submitted by Mr. Das, learned counsel for the Petitioner that the license in respect of the Petitioner-Saw Mill was cancelled in view of the direction of the Hon'ble Supreme Court. Subsequently, as per the direction of the Hon'ble Supreme Court, the Government of Odisha took up the cases for rehabilitation of such Saw Mills in the State of Odisha in different Industrial Estates. Accordingly, the petitioner submitted an application to the Principal Chief Conservator of Forests, Odisha, Bhubaneswar on 29th October, 2021 under Annexure-1. But, the application of the

Petitioner-Saw Mill has not yet been recommended to the Chief General Manager (MSME), IDCO, Bhubaneswar for rehabilitation as has been done in similarly situated Saw Mills. Hence, he prays for the aforesaid relief.

4. Mr. Mishra, learned Additional Government Advocate submits that there is a definite procedure to be followed before taking any decision on the recommendation of the case of the Petitioner and it will take some time. Hence, this writ petition is premature and is not maintainable.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court is of the considered view that the Principal Chief Conservator of Forests, Odisha, Bhubaneswar should take a decision on the application made by the Petitioner for recommendation.

6. Accordingly, this Court without expressing any opinion on the merits of the case, disposes of this writ petition with a direction that the Principal Chief Conservator of Forests, Odisha, Bhubaneswar-Opposite Party No.3 shall take a decision on the application stated to have been made by the Petitioner on 29th October, 2021 under Annexure-1 for recommendation, as expeditiously as possible preferably within a period of four months from the date of production of certified copy of this order and to proceed with the matter in accordance with law.

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7. Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge