

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 35740 OF 2022

M/s. Konark Saw Mill, Titilagarh ***Petitioner***
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. This matter is taken up through hybrid mode.
2. The petitioner in this writ petition seeks for a direction to the Chief General Manager (MSME), IDCO, Bhubaneswar- Opposite Party No.2 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. 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 and its case has

been recommended for allotment of a plot in any industrial estate to run its saw mill. Since no action was taken on the recommendation, the Petitioner submitted an application to the Chief General Manager (MSME), IDCO, Bhubaneswar-Opposite Party No.2 on 7th November, 2022 under Annexure-1. But, no action has been taken on the same by the Chief General Manager (MSME), IDCO, Bhubaneswar for its 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 for rehabilitation of the Petitioner-Saw Mill 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 Chief General Manager (MSME), IDCO, Bhubaneswar-Opposite Party No.2 should take a decision on the application made by the Petitioner-Saw Mill for its rehabilitation.

6. Accordingly, this Court without expressing any opinion on the merits of the case, disposes of this writ petition with a direction that the Chief General Manager (MSME), IDCO, Bhubaneswar-Opposite Party No.2 shall take a decision on the application stated to have been made by the Petitioner on 7th November, 2022 under Annexure-1 for its rehabilitation, 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

