

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2410 of 2024

Nanda Kishore Dwivedi

.....

Petitioner

Mr. B.S. Panigrahi, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. B. Mohanty, AGA

CORAM:

**DR. JUSTICE B.R. SARANGI
MR. JUSTICE G. SATAPATHY**

ORDER

29.02.2024

Order No.

02.

This matter is taken up by hybrid mode.

2. Heard Mr. B.S. Panigrahi, learned counsel appearing for the petitioner and Mr. B. Mohanty, learned Additional Government Advocate appearing for the State-Opposite Parties.

3. The petitioner has filed this writ petition with the following prayer:

“It is, therefore, prayed that your Lordships may graciously be pleased to admit the writ petition, call for the records, issue Rule NISI in the nature of Writ of Certiorari/Mandamus calling upon the Opp. Parties to show cause as to why no construction shall be made by them over the land in question belonging to the petitioner as reflected in the R.O.R vide Annexure-1 without initiating appropriate proceeding under the Act and compensating the petitioner in pursuant to the letter dtd.03.11.2023 vide Annexure-3;

And in the event, the Opp. Parties fail to show cause or show insufficient cause the said Rule be made absolute, the Opp. Party authorities be directed not to make any construction over the land in question belonging to the petitioner as reflected in the R.O.R vide Annexure-1 without initiating appropriate proceeding under the Act and compensating the petitioner in pursuant to the letter

dtd.03.11.2023 vide Annexure-3.”.

4. In course of hearing, learned counsel appearing for the petitioner states that the petitioner may be permitted to file a fresh representation before Opposite Party No.3, and the same may be directed to be disposed of 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 the petitioner to file a fresh representation before Opposite Party No.3. In the event, the petitioner files such representation, opposite party no.3 shall consider and pass appropriate order as early as possible within a period of three months from the date of production of certified copy of this order.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE

Subhasmita

Signature Not Verified

Digitally Signed
Signed by: SUBHASMITA DAS
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 01-Mar-2024 16:21:00

