



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 4656 of 2026

1. Kumar Parija		<i>Petitioners</i>
2. Nilima Dash		
3. Geetarani Swain		
4. Bijaya Kumar Satpathy		
5. Narottam Samal		
6. Sunil Kumar Behera		
7. Sridhar Sahoo		
8. Susant Kumar Bhuyan		
9. Sarat Kumar Samal		
10. Duryodhan Sahoo		
11. B.K. Samantray		
12. K. M. Behera		
13. Tapan Kumar Pati		
14. Prasan Mohanty		
15. Tarunkanti Rout		

Mr. S. Kar, Advocate

-versus-

1. State of Odisha		<i>Opposite Parties</i>
represented by its principal		
Secretary, Housing & Urban		
Development Department,		
Government of Odisha,		
Bhubaneswar		
2. The Commissioner, Cuttack		
Municipal Corporation,		
Cuttack		
3. The Chairman, Cuttack		
Development Authority		
(CDA), Cuttack		

Mr. P.K. Ray, AGA



CORAM: JUSTICE V. NARASINGH

ORDER

26.02.2026

Order No.

01. 1. Heard learned counsel for the Petitioners and learned counsel for the State.
2. Assailing the alleged unreasonable action of the Opposite Parties in constructing the public toilet at an unsuitable location at Plot No.1395, Sector-9, CDA, Cuttack, the present writ petition has been filed inter alia alleging that the same amounts to the violation of the Petitioners under Article 21 of the Constitution of India.
3. It is submitted that ventilating their grievance the Petitioners have made a representation on 27.01.2026 and alleging inaction in the matter of consideration of such representation, the present writ petition has been filed.
4. Learned counsel for the State submits that the Petitioners without pursuing the representation have rushed to this Court.
5. Per contra, it is submitted by the learned counsel for the Petitioners that since inaction in the matter of consideration of the representation is telltale and keeping in view the urgency involved, the Petitioners have rightly approached this Court which can by no stretch of imagination be said to be premature.



6. Considering the rival submission, this Court is of the considered view that interest of justice would be subserved, if the Opposite Parties are called upon to consider the representation of Petitioners at Annexure-1 within a period of four weeks hence from the submission of the order of this Court along with the copy of the writ petition, if the same is submitted by 05.03.2026.

7. It is further directed that till such consideration, there shall not be any further construction at Plot No.1395, Sector-9, CDA, Cuttack.

8. In the event the representation along with copy of this order is not submitted with the time line as indicated above, the embargo from proceeding with the construction need not be adhered to.

9. Accordingly, the writ petition stands disposed of.

10. In view of disposal of writ petition, pending I.As., if any, also stand disposed of.

Ayesha

**(V. Narasingh)
Judge**