



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22213 OF 2013

Defence Enclave Resident's Welfare Association, Bhubaneswar and Others ***Petitioners***

Mr. Satya Smruti Mohanty, Advocate

-versus-

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

Mr. Ajodhya Ranjan Dash,
Additional Government Advocate
Ms. Pragnya Paramita Barik, Advocate
on behalf of Mr. Subha Bikash Panda, Advocate for BDA
Ms. Anikta Mukherji, Advocate for O.P. No.5

CORAM:
JUSTICE K.R. MOHAPATRA
JUSTICE SANJAY KUMAR MISHRA

Order No.

ORDER
15.01.2026

13. 1. This matter is taken up through hybrid mode.
2. In course of argument, Mr. Mohanty, learned counsel for the Petitioners relied upon the case of *Anjuman E. Shiate Ali and Another Vrs. Gulmohar Area Societies Welfare Group and Others reported in (2020) 20 SCC 698* and submits that the areas kept as open space meant for school and playground approved by the Directorate of Town Planning, Odisha, Bhubaneswar could not have been utilized for any other purposes. He further submits that vide order under Annexure-5, the allotment made in favour of the Petitioners under law.
3. Mr. Dash, learned Additional Government Advocate prays for an adjournment submitting that in the meantime more than 12 years have been passed and an interim order is continuing. Thus, he shall take instruction as to whether the land, in question, is still required for



the project proponent. He further submits that further discussion with the General Administration Department is necessary to address the Court.

4. In view of such submission, the matter stands adjourned to be listed on 26th March, 2026.

5. Interim order dated 1st October, 2013 passed in Misc. Case No.20487 of 2013 shall continue till the next date.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Himansu