



IN THE HIGH COURT OF ORISSA AT CUTTACK
MSA No.24 of 2024

Firoza Khatun ***Appellant***
Mr. S. P. Mishra, Sr. Advocate

-versus-

Shashi Kumar Sahoo & others ***Respondents***

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
05.09.2024

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard, Mr. S.P. Mishra, learned Senior Counsel appearing along with Mr. Abhishek Agrawal, learned counsel for the Appellant submits that although the Appellant has got a valid claim, but the OREAT has wrongly appreciated in the first appeal and directed the Appellant to approach the competent authority U/S. 71 of the ORERA Act. Further, Mr. Mishra submits that although the Appellant has already invoked the arbitration clause wherein an award has already been passed in favour of the Appellant, but that does not debar the Appellant to redress his grievance before the RERA authority, who are competent to deal with the grievance of the Appellant.



3. In the aforesaid backdrop and submission, this Court feels that Appellant has got an arguable case. Hence, issue notice to the Respondent Nos. 1 and 2 by Registered Post with A.D. fixing a short returnable date. Requisites for issuance of notice shall be filed within three working days.

4. Mr. S.S. Pradhan, learned AGA accepts notice for Respondent No.3. Further, Mr. Mishra submits that he can serve a copy of the appeal memo together with all the documents relied on by the appellant to the learned counsels who normally appear for R-4 and R-5 within three working days. In such circumstance, let an extra copy of the brief be supplied to the learned counsel for Respondent Nos. 3,4 and 5.

5. List this matter on 22nd October, 2024.

(G. Satapathy)
Judge

Priyajit