



Signature Not Verified IN THE HIGH COURT OF ORISSA AT CUTTACK

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Location: OHC
Date: 22-Jul-2025 17:55:17



W.P.(C) No.20261 of 2025

Gourav Kumar Sahu

.....

Petitioner

*Mr. Soumya Mishra,
Advocate*

-versus-

State of Odisha & Ors.

.....

Opposite Parties

*Mr. Debasish Nayak,
AGA*

*Mr. Jugala Kishore Panda,
Advocate for Baragarh
Municipality*

CORAM:

THE HON'BLE DR. JUSTICE S. K. PANIGRAHI

Order

No.

ORDER

22.07.2025

- 01.
1. This matter is taken up through hybrid arrangement.
 2. This matter was not in today's list. On being mentioned, this matter is listed through Special Notice.
 3. The Petitioner, by filing this Writ Petition, has challenged the action of the opposite parties in notifying the petitioner regarding demolition of his residential building by way of a microphone announcement on 19/07/2025, scheduling the date of demolition on



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2/07/2025 thereby, resorting to an act of flagrant violation of the principles of natural justice as well as the Petitioner's right to property under Article 300-A of the Constitution of India.

4. Learned counsel for the Petitioner submits that Plot Nos.1436, 1442, 1446, 1435/9419, 1433, 3586, 1411/9416, 1418/9420, 1410/9418, 1420/9421, 1412, 3576, 3578, 3580, 3573, 3582, 3581, 3547, 3548, 1414, 3559, 1413, 1415/9417 corresponding to Khata No. 2414/209, measuring total area of Ac. 10. 785 decimal in Mouza-Bargarh District-Bargarh as indicated in Schedule-A stand recorded in the name of the Petitioner. But, on 19.07.2025 the Executive Officer, Bargarh Municipality without giving any opportunity of hearing, vide microphone announcement directed the Petitioner to vacate Plot No. 1435/9419, 1436 corresponding to Khata No. 2414/209, Mouza-Bargarh in District- Bargarh, fixing the date to 22.07.2025 for forceful eviction.

5. Considering the submission made on behalf of the Petitioner and on going through the averments made in this Writ Petition, this Court directs the Executive Officer, Baragarh Municipality/Opposite Party No.4 and Bargarh Municipal Council/Opposite Party No.5 to issue a



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Detailed show cause notice to the Petitioner and the Petitioner shall be given opportunity for filing of the reply to the show cause. If the said reply is filed, if necessary, personal hearing may be granted to the Petitioner and subsequent to that, the Municipality shall pass a reasoned order. Further, the Petitioner is directed to produce all the documents relating to the ownership and after completion of such hearing, the Executive Officer, Baragarh Municipality/Opposite Party No.4 is free to issue order of demolition, if there is any violation.

6. It is further directed that till a fresh order is passed by the Executive Officer, Baragarh Municipality taking into account the reply of the Petitioner, no coercive action shall be taken against the Petitioner.

7. This Writ Petition is, accordingly, disposed of.

(Dr. S. K. Panigrahi)
Judge