

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23813 of 2023

Kamalini Barik & Another

....

Petitioners

M/s. S.K. Mishra, Sr. Advocate & Associates

-Versus-

State of Odisha & Others

....

Opposite Parties

Mr. YSP Babu, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

28.07.2023

Order No.

01. 1. Heard Mr. Mishra, learned Senior Advocate for the petitioners.
2. Instant writ petition is filed by the petitioners challenging the impugned action of the opposite parties, who have contemplated to raise construction over schedule plots situate under Khata No.147 of Mouza in question in the district of Mayurbhanj.
3. Mr. Mishra, learned counsel for the petitioners submits that construction of 'Mamata Gruha' and also a wall over Plot Nos. 253, 258 and 259 is objectionable on the ground that it is likely to prevent the petitioners from accessing the main road. While contending so, Mr. Mishra refers to Annexure-2 series to satisfy the Court with regard to the location of private plots owned by the petitioners and the manner in which ingress and egress from the said plots to the public road would be affected in the event the construction is permitted.
4. Mr. Babu, learned AGA accepts notice for the State-opposite parties and he is instructed to obtain instruction in the matter and to report back on the next date.

5. List on 16th August, 2023 for final hearing and orders.

(R.K. Pattanaik)
Judge

I.A. No.11397 of 2023

2. 1. Heard.

2. Mr. Mishra, learned Senior Advocate appearing for the petitioners submits that unless and until the alleged construction of 'Mamata Gruha' and the wall which is about to be raised over Plot Nos. 253, 258 and 259 is prevented, the petitioners would suffer immensely and while contending so, a coloured photograph has been produced before the Court today.

3. Considering the above submission of Mr. Mishra, learned Senior Advocate, this Court till the response of the State is received, as an interim measure directs status quo to be maintained over the plots in question till the next date.

4. List on the date fixed.

5. A copy of the order be handed over to Mr. Babu, learned AGA for communication of the same to the authority concerned for information.

6. Urgent copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge