



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23871 of 2025

Udenath Naik

....

Petitioner

Mr. S. Rout, Advocate

-versus-

***State of Odisha and
others***

.... Opposite Parties

Mr. M.R. Mohanty, AGA

Mr. A.K. Mohanty-A, Adv. (intervenor)

CORAM: JUSTICE V. NARASINGH

ORDER

08.07.2026

Order No.

13. 1. Heard Mr. Rout, learned counsel for the Petitioner, Mr. M.R. Mohanty, learned Additional Government Advocate for the State and Mr. A.K. Mohanty-A, learned counsel for Requisitionists- Opposite Party No.4 to 14.

2. During the course of submission, learned counsel for the Petitioner relied on the Full Bench judgment of this Court dated 29.11.2025 in W.A. No.1367 of 2025 (**Nabanita Kapat Patra v. Collector, Kandhamal and another**), more particularly, paragraph-4.1(ii), which reads as under;

4.1 As to the nature & content of notice and its enclosures.

XXX

XXX

XXX



(ii) There is a broad consensus at the Bar that the Odia term 'ପ୍ରସ୍ତାବ ନିର୍ଦ୍ଧାରଣ', i.e., '*resolution proposed*' is conspicuously absent in the subject notice. Even otherwise, it can be reasonably gathered from the contents of said notice that it was not accompanied by a copy of draft resolution that was proposed in the meeting held on 20.09.2024, although a copy of 'requisition' was enclosed to the notice. It is in this context, the said notice is assailed by the Appellant. Learned AGA appearing for the official Respondents and learned Counsel representing the private Respondents contended that notice of the kind is valid even when it is not accompanied by a copy of the '*resolution proposed*'. They submitted that the notice was accompanied by a copy of the requisition and that would serve the purpose of notice."

3. Juxtaposing Annexure-1 the alleged proposed resolution with that of the one referred to in the Full Bench Judgment of this Court, it is the submission of the learned counsel for the Petitioner, Mr. Rout that the reference to the word "Sidhant" and the recitals of Annexure-1 is not a proposed resolution rather



amounts to conveying a decision, which has already been taken. As such, the same cannot be construed as a proposed resolution in terms of Section 24(2)(c) of the Orissa Grama Panchayats Act, 1964.

4. Per contra, learned counsel Mr. Mohanty referring to a judgment of this Court dated **20.05.2026 in W.P.(C) No.31157 of 2025 (Smt. Gunduri Singh vs. State of Odisha and others)** submits that the issue is no longer res integra and has been decided in the aforementioned case. Hence, the writ petition does not merit consideration.

5. Learned counsel for the Petitioner seeks a short adjournment to place on record the definition of the word "Sidhant" (vernacular-Odia) to fortify his submission that it connotes a decision taken.

Accordingly, list this matter on 13.07.2026 at 2.00 P.M.

Interim order passed earlier shall continue till the next date.

(V. Narasingh)
Judge

Santoshi

Signature Not Verified

Digitally Signed
Signed by: SANTOSHI LENKA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 09-Jul-2026 12:45:42

