



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.32830 of 2024

Prakash Chandra Rautaray ... **Petitioner**
Mr. Sanjib Kumar Bhanjadeo, Advocate
-Versus-
State of Odisha and others ... **Opposite Parties**
Mr. Saswat Das, Additional Government Advocate

CORAM:
THE HON'BLE THE CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER
10.12.2025

Order No.

04.

1. The instant writ petition was filed by the petitioner alleging inaction on the part of the authorities in not taking any steps for removal of an unauthorized encroachment over the river bank of Kuakhai and clearing of the herbs, shrubs and the trees grown due to 'un-keep', which impedes the operation of a sand quarry allotted to the petitioner.
2. Earlier, the matter was listed on 07.02.2025, where a sum of Rs.3,15,029/- was recorded to be deposited for cutting the trees and removal of other herbs and shrubs and the grass grown at the sand quarry, but no final direction could be passed as the learned Addl. Government Advocate sought for adjournment to take necessary instruction.
3. The instant writ petition was listed from time to time, but was adjourned as the learned Addl. Government Advocate sought for an adjournment so that appropriate action may be taken to redress the grievance raised by the petitioner.



4. Today, the written instruction received from the Mining Officer, Cuttack Circle, Cuttack (opposite party No.5) is handed over by the learned Addl. Government Advocate, which reveals that all such obstructions and/or hurdles as pointed out by the petitioner have been removed and the entire area is not only free from any encroachment but also the bushes and the trees which were grown for 'un-keep' have also been cleared up. The Mining Officer further opined that after the removal of all such obstacles, the approach road is otherwise may be conducive for clearing of the sand. There is no fetter on the part of the petitioner to operate the said sand quarry in terms of the relevant statutory rules.

5. Since the primary grievance raised in the instant writ petition relates to removal of an encroachment and clearing of bushes and/or the trees having grown upon, the approach road has already been redressed and there is no impediment on the part of the petitioner to operate the sand quarries in terms of the relevant statutory rules, there is no point in keeping the instant writ petition pending.

6. On the basis of the facts recorded hereinabove, the writ petition stands disposed of.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge