



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 36460 of 2025

- 1. Mamita Malik**
- 2. Karunakar Khuntia**
- 3. Basanti Swain**
- 4. Soumendra Nath Dash
Mohapatra**

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Petitioners

Mr. A. Das, Sr. Advocate

-versus-

- 1. State of Odisha**
represented through its
Principal Secretary to Govt,
Panchayat Raj and
Drinking Water
Department, Khurda
- 2. Director Panchayat Raj and**
Drinking Water
Department, BBSR, Khurda
- 3. Collector and District**
Magistrate, Balasore
- 4. CDO-cum-Executive**
Officer, Zilla Parishad,
Balasore
- 5. Block Development Officer,**
Soro Block, Balasore
- 6. Madhab Pani**
- 7. Basanta Kumar Patra**

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Opposite Parties

Mr. M.R. Mohanty, AGA
(O.P. Nos.1 to 5)
Mr. S.N. Das, Advocate
(O.P. Nos.6 & 7)



CORAM: JUSTICE V. NARASINGH

ORDER

25.02.2026

I.A. No.1475 of 2026

Order No.

05. 1. Heard.
2. This I.A. has been filed to implead the intervenors.
3. It is the prayer of the Intervenor Petitioners that for just adjudication they ought to be impleaded as Opposite Party Nos.6 & 7.
4. Learned Senior Counsel, Mr. Das on behalf of the Petitioners referring to his objection submits that the presence of the Opposite Party Nos.6 & 7 is not necessary since they are not necessary practice nor their presence is essential for just adjudication as claimed and in fact it is submitted that they are interlopers.
5. Considering the rival submission, on the basis of recitals in the intervention petition as well as the objection, this Court is persuaded to direct that the Intervenor be impleaded as Opposite Party Nos.6 & 7.
6. Accordingly, I.A. stands disposed of.
7. The intervenors be added as Opposite Party Nos.6 & 7.



8. Learned counsel undertakes to file the Consolidated cause title incorporating Opposite Party Nos. 6 & 7 in course of the day.

(V. Narasingh)
Judge

W.P.(C). No.36460 of 2025

Order No.

06. 1. Heard Mr. Das, learned Senior Counsel on behalf of the Petitioner, Mr. Mohanty, learned AGA for the Opposite Party Nos.1 to 5 and Mr. Das, learned counsel for the Opposite Party Nos.6 & 7.

2. The Petitioners are the elected representatives being Sarpanch of Anantpur, Sarasankha, Nadigaon & Nischitpur G.P. under Soro Block have assailed the project list circulated under letter dated 29.11.2025 approving the projects under the scheme Bikashita Gaon Bikashita Odisha for the financial year 2025-26 at Annexure-9.

3. During the course of hearing, it came to the fore that in the meanwhile there is modification of the guidelines for Bikashita Gaon Bikashita Odisha Scheme whereby the current approving authority has been mentioned in 8.1 thereof. The copy of the resolution is on record at Annexure-11 and paragraph-8 of the said resolution dealing with



Substitution of Para 8 (Approving Authority), which is germane for consideration of the grievance of the Petitioners, is extracted hereunder:-

“(B) Substitution of Para 8 (Approving Authority) with the following.

8.1 - There will be a District Level Committee under the chairmanship of the Collector-cum-Chief Executive Officer. Chief Development Officer-cum-Executive Officer, Zilla Parishad of the concerned District will act as Member-Convener with Additional District Magistrate (General), SE/EE of the Rural Development Department and APD, Technical Zilla Parishad as the members.

8.2- The District Level Committee; after receipt of the project list from the Gram Sabha and considering all the proposals received as per Para 7.2 will scrutinize the admissibility and feasibility of the projects and finalize the projects as per local need & priority keeping in view of the financial allocation for the financial year.

8.3- List of the finalized projects will be approved by the Collector of the concerned District.

8.4- Administrative approval and Technical sanction shall be accorded as per Panchayat Samiti Accounting Procedure Rules, 2002 and subsequent amendments made therein from time to time.”

4. It is submitted that now the consequential action has to be taken in terms of the notification



dated 07.01.2026 at Annexure-11 adverted to hereinabove.

5. Learned counsel for the State submits that after coming into effect the modification to the guidelines as per resolution dated 07.01.2026, the Petitioners have no subsisting cause of action, since their grievance in respect of resolution (Addendum dated 11.03.2025 and Corrigendum dated 25.03.2025) which was primarily in respect of Annexure-9 no longer subsists, the same having been admittedly withdrawn. Such submission is adopted by the learned counsel for the Opposite Party Nos.6 & 7.

6. On considering the rival submissions, this Court is of the considered view that interest of justice would be subserved if the Petitioners in their representative capacity are allowed to ventilate their grievance in terms of the guidelines at Annexure-11 and file fresh representation(s) in the light of the notification dated 07.01.2026 within a period of 10 days hence.

7. Taking into account the submission at the Bar that the fund allocations are financial year wise and the end of financial year 2025-26 is fast approaching, in the event a representation along with a copy of the writ petition and a copy of this



order is submitted before the Collector and District Magistrate, Balasore-Opposite Party No.3 within a period of 10 days, he shall consider the same and take a decision within a period of two weeks thereafter after giving an opportunity of hearing to the Petitioners or any of the authorized representatives of the concerned Gram Panchayats and shall communicate the result thereof.

8. It is directed that till such a decision is taken, no consequential action in terms of the approval of projects under Annexure-9 dated 29.11.2025 issued by the CDO-cum-E.O. Zilla Parishad, Balasore shall be taken.

9. The writ petition is disposed of accordingly.

10. In view of disposal of writ petition, pending I.As., if any stand disposed of.

(V. Narasingh)
Judge

Ayesha