



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32084 of 2024

Prince Rakesh Nayak & others

....

Petitioners

Mr. S.K. Dalai, Advocate

-Versus-

Union of India & others

....

Opposite Parties

Mr. B. Nayak, AGA

CORAM:

MR. JUSTICE R.K. PATTANAIK

ORDER

20.12.2024

Order No.

01.

1. Heard Mr. Dalai, learned counsel for the petitioners.
2. Instant writ petition is filed by the petitioners challenging the impugned decision dated 8th November, 2024 as per Annexure-8 series to be without authority and not in consonance with the provisions of the Disaster Management Act, 2005 (hereinafter referred to 'the Act') and rules framed thereunder on the grounds stated therein.
3. Mr. Dalai, learned counsel for the petitioners submits that the grievance of the petitioners, who are the members of the local body, has not been duly considered, while preparing the list by a decision as per Annexure-8 series and while claiming so, he refers to the relevant provisions of the Act and also the guidelines of the Government of India in Ministry of Home Affairs as at Annexure-2. It is submitted that the District Administration has prepared a list for necessary repair, construction etc. dealing with and in respect of the subject matter utilizing the funds provided by Government of India received by the State, by not taking into account the representation at Annexure-7 series, hence, therefore, the impugned decision as per Annexure-8 series is liable to be interfered with.



4. Considering the facts pleaded on record and submission of Mr. Dalai, learned counsel for the petitioners, the Court is inclined to direct the State for a response. An extra copy of the writ petition with annexures is directed to be served on the State in course of the day.

5. Awaiting a response from the State, list this matter on 10th January, 2025 for final orders.

(R.K. Pattanaik)
Judge

I.A. No.17164 of 2024

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1. Heard Mr. Dalai, learned counsel for the petitioners.
 2. Instant petition is filed by the petitioners for staying operation of the impugned decision dated 8th November, 2024 under Annexure-8.
 3. Considering the plea of the petitioners and since the proposals submitted by them as per Annexure-7 series have not been included and it was followed by Annexure-8 series, this Court, as an interim measure, though not inclined to stay operation of Annexure-8 series but directs that the decision on the impugned proposal shall be deferred till the next date.
 4. List on the date fixed.
 5. Urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge