



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.32084 of 2024

***Prince Rakesh Nayak
and others***

....

Petitioners

Mr. S.K. Dalai, Advocate

-versus-

***Union of India and
others***

....

Opposite Parties

Mr. B.S. Rayaguru, Sr. Panel Counsel
Mr. P.K. Ray, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

23.03.2026

I.A. No.10262 of 2025

Order No.

08. 1. Heard learned counsel for the Petitioners and learned counsel for the Opposite Parties.
2. This I.A. has been filed by the Opposite Party Nos.7 to 9 for vacation of interim order dated 20.12.2024 passed in I.A. No.17164 of 2024.
3. It is submitted by learned counsel for the State, Mr. Ray, that the interim order needs to be vacated in larger public interest keeping in view that only a few days is left of the current financial year.
4. On perusal of the interim order, it is seen that the same was passed on 20.12.2024 and it is nobody's case that in the event the matter is postponed to the next financial year the funds cannot be allocated.



5. In such view of the matter, this Court is not inclined to vacate the order dated 20.12.2024.

6. Accordingly, I.A. stands disposed of.

(V. Narasingh)
Judge

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

Order No.

08. 1. Heard learned counsel for the Petitioners and learned counsel for the Opposite Parties.
2. Registry is requested to reflect the designation of the learned counsels appearing for the Union of India correctly.
3. During the course of hearing, learned counsel for the Petitioners, on instruction, submits that the Grama Panchayats, whose interest is stated to have been affected by virtue of the impugned action, have passed resolution alleging violation in implementation of "DANA"-2024 as per SDRF/NDRF norms. He undertakes to submit such list by the next date.
4. Learned counsel for the Petitioners referring to the provisions of the Disaster Management Act, 2005 submits that non-consultation with the elected representatives have set at naught the schematic arrangement of the said act and accordingly, the communication approving the proposal as submitted (Annexure-8) is liable to be set aside.



5. Learned Additional Government Advocate for the State, Mr. Ray, on the other hand, submits that the provisions as relied upon by the learned counsel for the Petitioners do not come into play in the factual matrix of the case at hand, since the works have been chosen as per the impugned proposal at Annexure-8 on the basis of evaluation of a technical committee taking into account emergent nature of the work. As such, there is no violation.

6. During the course of hearing, learned counsel for the Petitioners, Mr. Dalai, referred to certain glaring irregularities in the chosen project(s) and submits that on the face of it, it is clear that public money is being siphoned off taking advantage of non-consultation with the elected representatives.

Mr. Dalai, learned counsel for the Petitioners is called upon to place on record by way of affidavit such irregularities, after serving a copy thereof on the learned counsel for the State.

7. Learned counsel for the State is requested to place on record by way of affidavit the details of the cases in which work orders were issued by the date this Court passed the interim order dated 20.12.2024 and the stage thereof.

The same be placed on record by the next date, after serving a copy thereof on the learned counsel for the Petitioner.



8. List this matter on 27.04.2026.
9. Interim order passed earlier shall continue till the next date.

(V. Narasingh)
Judge

Santoshi