

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).16362-16363/2004

(From the judgement and order dated 08/04/2004 in OJC No. 1325/1997 and 2956/1997 of The HIGH COURT OF ORISSA AT CUTTACK)

MILK PRODUCERS ASSOCIATION,ORISSA & ORS.

Petitioner(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

(With appln(s) for impleading party and prayer for interim relief and office report)(for final disposal)

Date: 25/11/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)/

Mr. B.A. Mohanti, Sr.Adv.

Respondent(s)

Ms. Mamta Tripathi, Adv.

Mr. Ashok Mathur,Adv.

Mr. Janaranjan Das,Adv.

Mr.Swetaketu Mishra, Adv.

Mrs.K. Amareswari, Sr.Adv.

Mrs Anil Katiyar ,Adv

Ms. Kumud L. Dass, Adv.

Mr.Shashi B. Upadhyay, Adv.

Ms. K. Amreshwari, Sr. Adv.

Mrs. Purnima Bhat Kak, Adv.

UPON hearing counsel the Court made the following

O R D E R

On the counter affidavit filed before the High Court, the respondent-State had

contended that a decision had been taken by the Government of Orissa that on hygienic reasons and for

the maintenance of health and well being of the citizens of Bhubaneswar, it is necessary to rehabilitate

all the milkmen at different places outside the Master Plan area.

Presumably relying on the above decision, learned senior counsel appearing for

the petitioners-herein made a statement before this Court on 23.8.2004 that the petitioners will shift

their cattle within 30 days from the date of possession of the land being allotted to them.

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The State of Orissa has now filed a counter affidavit stating that having regard to

the factors enumerated therein, the State does not intend to rehabilitate milkmen who have been

encroaching public land.

We would like to satisfy ourselves that the Government has abandoned its earlier

decision and a fresh decision has been taken by the appropriate authority.

Mr. Janaranjan Das, learned counsel states that the relevant records shall be

produced before this Court on the next date of hearing.

Put up on 16.12.2005.

(Meenu Sethi)
Court Master

(Pushap Lata Bh
Court Master