

BY SPEED POST

**IN THE COURT OF SMT. USHA PADHEE, PRINCIPAL SECRETARY TO
GOVERNMENT, HOUSING AND URBAN DEVELOPMENT DEPARTMENT, ODISHA,
BHUBANESWAR.**

(Appellate Authority under O.D.A. Act, 1982)

Appeal No. 01 of 2022

Under Section 91(2) of the O.D.A. Act., 1982

Prabhudutta Patel.....Appellant

-VRS-

MBC, Bhubaneswar Respondent.

Order

Date 21.12.2024.

The case record is put up today.

The proceeding is taken up in physical mode.

The representative of Bhubaneswar Municipal Corporation (BMC) is present (Respondent). Sri Prabhu Dutta Patel (Appellant) is present.

Heard the parties.

Hon'ble High Court of Orissa vide its order dated 08.02.2024 passed in WP(C) No. 2759 of directed that;

".....In the result, the writ petition stands disposed of with a direction to apposite party No.1 to rehear the appeal and also ensure a fresh measurement in the presence of the petitioner vis-à-vis the alleged construction which is claimed to be without any approval and thereafter, to proceed and to dispose it of as per and in accordance with law and till such time, a final order is passed, to maintain status quo in respect of the subject matter in question....."

In obedience to the orders of the Hon'ble High Court the case is taken up. The OSD, ODA Act, BMC was directed to conduct a fresh measurement of the alleged construction in the presence of the petitioner as per the order of the Hon'ble High Court. The OSD, ODA Act submitted the fresh Amin's report along with the sketch map of the alleged unauthorized construction.

After careful consideration of the submission made both the parties, records presented during the hearing, this Court does not find any merit in the appeal to be interfered with and upheld the order of the order dated 02.12.2021 passed by the OSD, ODA Act, BMC in UAP Case No. 59 of 2021.

Accordingly this appeal stands dismissed.

Sd/-

(Smt. Usha Padhee)



GOVERNMENT OF ODISHA
HOUSING & URBAN DEVELOPMENT DEPARTMENT
3RD FLOOR, KHARAVEL BHAWAN, BHUBANESWAR, PIN-751001

Memo No. 13 /HUD.,

Date. 1/1/25

Copy forwarded to the OSD (ODA Act), Bhubaneswar Municipal Corporation (BMC), Bhubaneswar/ City Planner Bhubaneswar Municipal Corporation (BMC), Bhubaneswar)/ Commissioner, BMC, Bhubaneswar for information and necessary action.

1/1/25
Section Officer

Memo No. 14 /HUD.,

Date 1/1/25

Copy forwarded to Sri Prabhudutta Patel, S/o- Late Bighnaraj Patel, At- Plot No.28 (Part), Near Governor House Square, PS- Capital, Dist- Khurdha, PIN-751001 for information and necessary action.

1/1/25
Section Officer

Memo No. 15 /HUD.,

Date. 1/1/25

Copy forwarded to the Team Lead, TASU, Housing & Urban Development Department (website.hudd@gmail.com) with a request to take necessary steps in order to make the said notice available in the official website of this Department.

1/1/25
Section Officer