

BY SPEED POST

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

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

Appeal No.92 of 2002

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

Nabin Kumar Bhukta.....Appellant

-vrs-

BDA, Bhubaneswar Respondent

Date 04.01.2025

The case record is put up today.

The hearing taken up in person mode.

The OSD, ODA Act, Bhubaneswar Development Authority (BDA), Bhubaneswar is present. The Learned Counsel for the appellant is present.

This Memorandum of Appeal dated 30.09.2002 has been filed by Sri Nabin Kumar Bhukta, (aged about 63 years), S/o-Late Hattanatha Bhukta, resident of House no. DI-32, OSHB, Phase- II, VSS Nagar, Bhubaneswar, Dist- Khurdha under sub-section (2) of Section 91 of Odisha Development Authority Act, 1982 [herein after referred to as "the Act"] registered as TP appeal No. 92/2002.

Heard the parties.

The appellant filed the instant to set aside the impugned order dated 24.09.2002 passed by Secretary, Bhubaneswar Development Authority in UAP Case No. 127/2002 for removal of the unauthorized constructions.

The allegation against the appellant is that he has unauthorizedly extended construction of building beyond the approved plan and encroached the Government land at the front and right side of the allotted plot.

The appellant has submitted that he has completely demolished the old structure erected on the suit land in the year 2016 and constructed a new house as per the building plan approved by BDA vide No. 32222, dated 19.12.2017.

During the course of hearing the representative of BDA appellant conceded on the claim of the appellant.

Since, the appellant has voluntarily demolished the alleged structure and necessary building plan approval has been obtained for the existing building from BDA, this Court finds no reason to proceed the case further.

Accordingly this appeal is dropped.

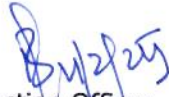
Sd/-
(**Smt. Usha Padhee**)



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

Memo No. 2436 /HUD., Date. 04.02.25

Copy forwarded to the Vice-Chairman, Bhubaneswar Development Authority (BDA), Bhubaneswar /OSD (ODA Act), Bhubaneswar Development Authority (BDA), Bhubaneswar/ Planning Member, Bhubaneswar Development Authority (BDA)/ Commissioner, BMC, Bhubaneswar for information and necessary action.


Section Officer

Memo No. 2437 /HUD., Date. 04.02.25

Copy forwarded to Sri Nabin Kumar Bhukta, S/o Late Hatanatha Bhukta, At- House No. DI.32, OSHB, Ph-II, VSS Nagar, Bhubaneswar, Dist- Khordha for information and necessary action.


Section Officer

Memo No. 2438 /HUD., Date. 04.02.25

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


Section Officer