

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. 127 of 2005

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

Forest Park Youth Association.....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 appellant is absent.

This Memorandum of Appeal dated 26.11.2005 has been filed by Antaryami Dash, Secretary, Forest Park Youth Association, Plot No. 1070 (P), Forest Park, 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. 127/2005.

Heard the parties.

The appellant filed the instant to set aside the impugned order dated 14.11.2005 passed by Secretary, Bhubaneswar Development Authority in UAP Case No. 445/2005 for removal of the unauthorized constructions.

The submission made by the BDA reveals that, the appellant has undertaken unauthorised construction of AC shed structure encroaching Government land in mouza Bhubaneswar.

On perusal of the memorandum submitted by the appellant it seems that the appellant is in possession of the scheduled land since more than 30 years.

Considering the facts and records presented during the course of hearing, this Court observes that the appellant has erected unauthorized construction encroaching Government land.

Hence, this Court upheld the order of the lower court. The BDA is directed to act upon the order immediately.

Accordingly this appeal is dismissed.

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



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

Memo No. 2454 /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

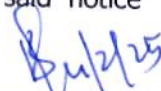
Memo No. 2455 /HUD., Date. 04.02.25

Copy forwarded to Sri Antaryami Dash, Secretary, Forest Park Youth Association, Plot No. 1070 (p), Forest park, Bhubaneswar, Dist- Khordha for information and necessary action.


Section Officer

Memo No. 2456 /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