

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. 214 of 2007

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

Kodanda Dhara Sahoo.....Appellant

-vrs-

BDA, Bhubaneswar Respondent.

Order

Date 01.02.2025

The case record is put up today.

This proceeding taken up in person mode.

The appellant is absent. OSD, ODA Act, Bhubaneswar Development Authority (BDA), Bhubaneswar [Respondent] is present.

This Memorandum of Appeal dated 15.05.2007 has been filed by Sri Kodandadhar Sahoo, S/o Kashinath Sahoo, resident of at- Nimeipur, PO- Ekatali, PS- Bhubana Dist- Khurdha under sub-section (2) of Section-91 of the Odisha Development Authorities Act, 1982, [here in after referred to as "the Act"] registered as TP Appeal No. 214 of 2007.

Heard the Parties.

The petitioner filed this instant appeal being aggrieved upon the impugned order dated 03.05.2007 passed by the OSD, ODA Act, Bhubaneswar Development Authority (BDA) for demolition of unauthorized construction erected by the appellant.

The allegation against the appellant is that he has undertaken unauthorized construction of an AC shed over plot No. 336(pt) of Mouza- Nayapalli (Jaydev Vihar), Bhubaneswar by way of encroaching Government land.

On absence of the appellant this court perused the appeal memorandum filed by the appellant and gone through the prayer of the appellant. The appellant conceded that the land is in the adverse possession of the appellant.

Considering the facts and the circumstances made above and materials on records presented during the course of hearing, this Court observes that the appellant is under adverse possession of the government land. Any illegal construction over the land stated supra is liable to be demolished.

Hence this court upheld the order of the lower court and BDA is directed to act upon the order accordingly.

Accordingly, this appeal disallowed.

Sd/-

(Smt. Usha Padhee)



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

Memo No. 6987 /HUD.,

Date. 25.03.2025

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) for information and necessary action.


Section Officer

Memo No. 6988 /HUD.,

Date 25.03.2025

Copy forwarded to Sri Kodanda Dhara Sahoo , S/o- Kashinath Sahoo , Plot No.-336, Mz- Nayapalli, (Jaydev Vihar), Bhubaneswar, Dist- Khurdha for information and necessary action.


Section Officer

Memo No. 6989 /HUD.,

Date. 25.03.2025

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