

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

Memo No. 14341 /HUD.,

Date. 23.06.2025

Copy forwarded to the OSD (ODA Act), Bhubaneswar Development Authority, Bhubaneswar for information and necessary action.


Desk Officer

Memo No. 14342 /HUD.,

Date 23.06.2025

Copy forwarded to Smita Moharana, aged about 62 years, W/o-late Major Ramesh Chandra Maharana, Plot No. 665/666, Kedar lane, Old Town, Bhubaneswar -2, Dist- Khordha for information and necessary action.


Desk Officer

Memo No. 14343 /HUD.,

Date. 23.06.2025

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.


Desk Officer

Accordingly, the appeal petition is disposed of.

Urgent copy of this order be supplied as per Rules and be also uploaded in the Department website.

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Sd/-

(Smt. Usha Padhee)

Plot No. 2399, Khata No. 1593/513 corresponding to G. A. Department Plot No. 23 of Mouza- Laxmisagar (Unit-30) under SRUC-2019, wherein the desired documents were not submitted by the applicant. Hence, BDA rejected/refused his application.

During the course of hearing representatives of BDA submitted that, the appellant has not submitted the following documents in the application;

- i. Revised building plan
- ii. Ownership document
- iii. Site plan showing the proposed site superimposed on part revenue map
- iv. Land use map of CDP of site /plot
- v. Photographs of the building
- vi. Revised site inspection report with plot details, proper indexation, dimension, units duly signed with date by applicant and Architect/ Registered Technical Person
- vii. Structural Safety Certificate in Form-C from a Structural Engineer/ Registered Technical Person/ Architect

The applicant was intimated by BDA to submit the aforesaid documents within a period of 15 days but the applicant did not comply with the queries made by BDA. Due to non-submission of clarification by the applicant the application for regularization was refused in the event of incomplete application and non-compliance to the observations of the Development Authority.

Perused the prayer of the appellant wherein it has been contended that, he has applied under SRUC-2019 for regularization of the said property. The BDA arbitrarily rejected his application without adhering due process of law and without providing him fair opportunity for the compliance of the show-cause notice and the amount deposited by him has been refunded. During the course of hearing the Learned Advocate for the appellant prayed for allowing reasonable opportunity to comply with the queries made by BDA for considering the case under the aforesaid scheme.

After careful consideration of the submissions made by both parties, this Court observes that BDA is lacking in providing the opportunity to the petitioner to comply the show-cause. In view of the above the case is remitted back to BDA for disposal as per law, taking into consideration the provisions enshrined under SRUC and submit the compliance report within three weeks before this Court.

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.62 of 2024

Under Section 18 (1) of the O.D.A. Act., 1982

Sri Krushna Chandra Patra.....Appellant

-vrs-

BDA, Bhubaneswar Respondent.

Order

Date 04.05.2025

The case record is put up today.

This proceeding taken up in person mode.

The Learned Advocate for the appellant is present, the representatives of Bhubaneswar Development Authority (BDA), Bhubaneswar [Respondent] is present. Director of Town Planning is present.

This Memorandum of Appeal dated 29.11.2024 has been filed by Sri Krushna Chandra Patra, (aged about 70 years), S/o- Late Sri Kunja Bihari Patra, resident of B-16, BJB Nagar, Ps- Badagada, Bhubaneswar, Dist- Khordha under sub-section (1) of Section-18 of the Odisha Development Authorities Act, 1982, [here in after referred to as "the Act"] registered as TP Appeal No. 62/2024.

Heard the Parties.

The appellant filed the instant to set aside the impugned order dated 21.03.2022 passed by Bhubaneswar Development Authority in PBRUC Case No. 4551 of 2020 and communicated to the appellant vide letter No. 10463/BDA, Dt. 21.03.2022 on refusal of permission under provisions of the Schemes for Regularization of Unauthorized Constructions [here in after referred to as "SRUC"], 2019.

The allegation against the appellant is that, the appellant has submitted incomplete application for regularization of S+4 storied commercial building (hostel and boarding) over