

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.52 of 2024

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

Sri Sribatsa Panda.....Appellant

-vrs-

BDA, Bhubaneswar Respondent.

Order

Date 02.08.2025

The case record is put up today.

This proceeding taken up in person mode.

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

This Memorandum of Appeal dated 30.09.2024 has been filed by Sri Sribatsa Panda, S/o- Late Sri Bhagabata Panda resident of Plot No- 04, Royal Garden, Phase 1, Patia, Bhubaneswar, Dist- Khordha, Odisha- 751024 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. 52/2024.

Heard the Parties.

The appellant filed this instant appeal challenging the impugned order dtd- 01.06.2022, appertaining to File No. BPRUC- 4575/2020, on refusal of permission under provisions of the Schemes for Regularization of Unauthorized Constructions [here in after referred to as "SRUC"], 2019.

The representative of BDA submitted that, the appellant has submitted the applications for regularization of G+2 storeyed residential building over revenue Plot No- 618/4559, Khata No-474/3549, Sub Plot No-4, Mouza- Patia, Area-194.29 sq.mtr under the Tahasil-

Bhubaneswar, Dist- Khordha, permission got refused due to non-compliance with the observations made by the authority vide BDA letter 14513/ BDA, dated 25.04.2022.

The appellant submitted that, a registered architect had conducted a site inspection to confirm the appellant's legal rights over the property and to prepare necessary documents in accordance with SRUC-2019 norms. During the inspection, deviations were identified and a calculation sheet and documents were prepared as per SRUC-2019 for regularisation of the scheduled building. Accordingly the appellant has deposited the fees as prescribed with the norms. The Appellant further contended that, despite assurances from the authorities to inform them of any deficiencies in the application, no such intimation was ever received, nor was the Appellant made aware of the reasons for the rejection.

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 the matter being compoundable, BDA is lacking in providing the opportunity to the petitioner to comply the show-cause. In view of the above the case is remanded 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.

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.

Sd/-

(Smt. Usha Padhee)



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

Memo No. 22664 /HUD.,

Date. 22-09-2025

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.


Desk Officer

Memo No. 22665 /HUD.,

Date 22-09-2025

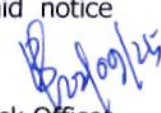
Copy forwarded to Sri Sribatsa Panda, Plot No. 04, Royal garden, Phase-1, patia, Ostapada, Khordha for information and necessary action.


Desk Officer

Memo No. 22666 /HUD.,

Date. 22-09-2025

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