

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.26 of 2025

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

Dillip Kumar Guru.....Appellant

-VRS-

BMC, Bhubaneswar Respondent.

Order

Date 16.08.2025

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 Municipal Corporation (BMC), the representative of Bhubaneswar Development Authority (BDA), Bhubaneswar is present.

This Memorandum of Appeal dated 16.05.2025 has been filed by Sri Dillip Kumar Guru (aged about 48 years), S/o Late Hrusikesh Guru, resident of At-Jagamara, PO/PS-Khandagiri, Bhubaneswar, Dist.- Khordha, Odisha 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. 26/2025.

Heard the Parties.

The appellant filed this instant appeal to set aside the impugned order dated 18.01.2025 passed in UAP Case No. 67/24, communicated to the appellant on Dt. 03.04.2025 for demolition of building erected by the appellant unauthorisedly over the Government land.

The allegation against the appellant is that, the appellant has erected unauthorized construction without any approved plan of ACC sheeted House over Plot No. 880 under Mouza- Jagamara, Bhubaneswar which is identified as Government land. The Lower Court has issued order for demolition of the said encroachment.

The Appellant asserts that the said construction has not obstructed any road giving access to the streets. During the course of hearing, BMC submitted that the scheduled plot is not settled in the name of the appellant or his forefathers and despite serving sufficient opportunity the appellant failed to produce any required document to claim his entitlement for the land settlement in its favour.

After careful consideration of the submissions made by both the parties, this Court is of view that, the said construction erected by the appellant is unauthorized and on Government land. Hence, this Court, upholds the order of the lower Court and BDA/ BMC are directed to act upon this order immediately.

Accordingly, the appeal petition is Disallowed.

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. 22769 /HUD.,

Date. 23.09.25

Copy forwarded to the OSD (ODA Act), Bhubaneswar Development Authority, Bhubaneswar for information and necessary action. (*odacourt bmc@gmail.com*)

23/9/25
Desk Officer

Memo No. 22770 /HUD.,

Date 23.09.25

Copy forwarded to Dillip Kumar Guru, aged about 47 years, S/o- late Hrushikesh Guru, Plot No. 880, Jagamara, Khandagiri, Bhubaneswar for information and necessary action.

23/9/25
Desk Officer

Memo No. 22771 /HUD.,

Date. 23.09.2025

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.

23/9/25
Desk Officer