

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.40 of 2024

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

Pratap Kumar Jena.....Appellant

-vrs-

BMC, 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 representative of Bhubaneswar Development Authority (BDA), Bhubaneswar [Respondent] is present. Director of Town Planning is present.

This Memorandum of Appeal dated 29.06.2024 has been filed by Sri Pratap Kumar Jena (aged about 65 years), S/o Late Jogendra Jena , resident of Badgada Brit Colony, PS-Badagada, Dist-Khurda, Odisha 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.40/2024.

Heard the Parties.

The appellant filed the instant to set aside the impugned order dated 03.05.2023 passed by Bhubaneswar Development Authority and communicated to the appellant vide letter No. 14580/BDA, Dt. 03.05.2024 on refusal of permission under provisions of the Scheme for Regularization of Unauthorized Constructions, 2018/2019 [here in after referred to as "SRUC"].

The representative of BDA submitted that, the appellant has applied for regularization of ground floor convention building over Plot No. 335/1355 and 335/1351 under Mouza-

Basuaghai as per the provision enshrined under SRUC, 2018/2019. Since the plot is affected by the proposed CDP road the application was rejected.

Perused the prayer of the appellant. The appellant has submitted his prayer to grant sufficient opportunity to submit necessary compliance in the matter before BDA for reconsideration of the case for obtaining building plan approval in favour of the applicant.

During the course of hearing the representative of BDA states that, after necessary rectification in the proposed plan, it may be submitted before BDA for reconsideration under the scheme.

After careful consideration, following a thorough review of the arguments put forward by each party, this Court is of view that, the appellant is granted liberty to resubmit the revised building plan before BDA within a period of two weeks from receipt of this order and BDA is directed to consider the case as per the provision enshrined under the aforesaid scheme.

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/-

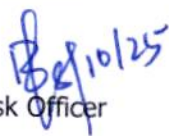
(Smt. Usha Padhee)

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

Memo No. 23692 /HUD.,

Date. 08.10.25

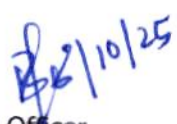
Copy forwarded to the OSD (ODA Act), Bhubaneswar Development Authority, Bhubaneswar for information and necessary action.


Desk Officer

Memo No. 23693 /HUD.,

Date 08.10.25

Copy forwarded to Sri Pratap Kumar Jena (aged about 65 years), S/o Late Jogendra Jena , resident of Badgada Brit Colony, PS-Badagada, Dist-Khurda, Odisha


Desk Officer

Memo No. 23694 /HUD.,

Date. 08.10.25

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.


Desk Officer