

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. 44 of 2008

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

Sri B.Siba Sankar Patro.....Appellant

-VRS-

BDA, Bhubaneswar Respondent.

Order

Date 19.07.2025

The case record is put up today.

This proceeding taken up in person mode.

None appeared on behalf of the appellant, the representative of Bhubaneswar Development Authority (BDA), Bhubaneswar [Respondent] is present.

This Memorandum of Appeal dated 28.04.2008 has been filed by Sri B.Siba Sankar Patro (aged about 34 years) S/o Late B. Lakhmimurthy Patro, resident of House No. S-3/796, Chandrasekharpur Housing Scheme, PH-II(Niladri Vihar), Mz-Chandrasekharpur, Bhubaneswar, Dist- Khurda 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.44/2008.

Heard the Parties.

The appellant filed the instant appeal to set aside the impugned order in UAP No. 261 of 2007 and communicated to the appellant vide letter No. 3252/BDA, Dt. 08.04.2008 on removal of the unauthorized/deviated construction undertaken.

The allegation against the appellant is that, the alleged unauthorized construction of RCC roofed house undertaken in-addition to the allotted scheme house bearing No. S-3/796, under Chandrasekharpur Housing Scheme, PH-II (Niladri Vihar), in Mz-Chandrasekharpur, Bhubaneswar, beyond the allotted scheme house as well as encroached upon adjacent Government land.

Perused the appeal memo of the appellant wherein it has been contended that, the impugned order No. 3252/BDA, Dt. 08.04.2008 has been passed without considering the submission made by him.

Considering the facts and submission made by both the parties, this court is of view that, the said unauthorised construction erected by the appellant is deviating Planning and Building Standard Regulation of ODA Act, 1982 and found to be unauthorizedly constructed encroaching the Government land. Hence this court is not inclined to interfere with the order passed by the lower court.

Accordingly appeal 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. 23074 /HUD.,

Date. 25.09.25

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


Desk Officer

Memo No. 23075 /HUD.,

Date 25.09.25

Copy forwarded to Sri B.Siba Sankar Patro (aged about 34 years) S/o Late B. Lakhmimurthy Patro, resident of House No. S-3/796, Chandrasekharpur Housing Scheme, PH-II(Niladri Vihar), Mz-Chandrasekharpur, Bhubaneswar, Dist- Khurdha for information and necessary action.


Desk Officer

Memo No. 23076 /HUD.,

Date. 25.09.25

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