

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. 35 of 2008

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

Smt. Baijanti Sahoo.....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 05.04.2008 has been filed by Smt. Baijanti Sahoo, W/o Sri Susanta Kumar Sahoo, resident of Plot No. 696/1614, Govinda Prasad, Jaya Durga Nagar, Bomikhal, 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. 35/2008.

Heard the Parties.

The appellant filed the instant to set aside the impugned order dated 27.12.2007 in UAP No. 289 of 2004 on removal of the unauthorized/deviated construction undertaken.

The allegation against the appellant is that, he has undertaken the unauthorized construction of RCC roofed structure (G.F, G+2, S+3, S+4, G+3 and G+4) over over Plot No. 696/1614 and 775(P) under Mz-Govinda Prasad deviating the BDA (P&BS) Regulations by way of encroaching the adjacent Government land.

Perused the memorandum of appeal of the appellant, wherein he has submitted that he has made his construction as per the plan approved by the BDA and further, he is least concerned about the construction made over Plot No. 775(P).

Considering the facts and submission made by both the parties , this court is of view that, the said construction erected by the appellant is deviating the Planning and Building Standard Regulation of ODA Act, 1982 and found to be unauthorizedly constructed by way of encroaching adjacent 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. 23077 /HUD.,

Date. 25.09.25

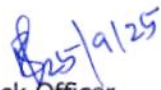
Copy forwarded to the OSD (ODA Act), Bhubaneswar Development Authority, Bhubaneswar for information and necessary action.


25/9/25
Desk Officer

Memo No. 23078 /HUD.,

Date 25.09.25

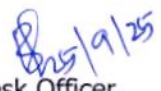
Copy forwarded to Smt. Baijanti Sahoo, W/o Sri Susanta Kumar Sahoo, resident of Plot No. 696/1614, Govinda Prasad, Jaya Durga Nagar, Bomikhal, Bhubaneswar, Dist-Khurdha for information and necessary action.


25/9/25
Desk Officer

Memo No. 23079 /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.


25/9/25
Desk Officer