

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.38 of 2024

(arising out of UPA case No. 8/22)

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

Snehalata Nayak.....Appellant

-vrs-

BMC, Bhubaneswar Respondent.

Order

Date 05.07.2025

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 04.06.2024 has been filed by Smt. Snehalata Nayak, W/o Kalakar Nayak, resident of Bomikhal, Near Santoshi Maa Temple, PS-Laxmisagar, Bhubaneswar, Dist.-Khurdha 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.38/2024.

Heard the Parties.

The appellant filed this instant appeal to set aside the impugned order dated 18.05.2024 passed by Deputy Commissioner-cum-AO, ODA Court, BMC in UAP case No. 08/22 and communicated to the appellant vide letter No. 22326/BMC, Dt. 27.05.2024 on removal of unauthorized construction erected by the appellant without approved plan.

The allegation against the appellant is that the appellant has erected unauthorized construction on Plot No. 419/4267, Mouza-Gobinda Prasad, Bomikhal, Bhubaneswar, in violation of the ODA Act, 1982.

The learned advocate for the appellant conceded with the allegation of violation of P&BS regulations of the ODA Act, 1982 and prayed to provide opportunity to regularise the building as per the provisions of amnesty scheme.

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 and unauthorised. 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. 30737 /HUD.,

Date. 18.12.2025

Copy forwarded to the OSD (ODA Court), Bhubaneswar Municipal Corporation(BMC), (odacourtbmc@gmail.com) Bhubaneswar for information and necessary action.


18/12/25
Desk Officer

Memo No. 30738 /HUD.,

Date 18.12.2025

Copy forwarded to Snehalata Nayak, W/o- kalakar Nayak, Bomikhal, Near Santoshi Ma Temple, PS- Laxmisagar, Bhubaneswar, Dist- Khordha for information and necessary action.


18/12/25
Desk Officer

Memo No. 30739 /HUD.,

Date. 18.12.2025

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.


18/12/25
Desk Officer