



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29633 of 2026

[CNR No.ODHC010699472026]

*The Brukshya
Sanrakhyan Trust,
Bhubaneswar*

....

Petitioner(s)

Mr. Gopal Prasad Jena, Adv.

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr. Debasish Nayak, AGA

CORAM:

HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

11.09.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. By filing the present Writ Petition, the Petitioner, the Brukshya Sanrakhyan Trust, represented by its President Sri Surasen Mallick, has prayed for the following reliefs:

"In the aforesaid facts & circumstances, it is humbly therefore prayed that, the Hon'ble Court may graciously be pleased to admit the writ application and issue RULE NISI calling upon the opposite parties to show cause as to why the appropriate writ/writs in the nature of mandamus or any other suitable writs should not be issued to quash the Annexure-3 issued by the BMC and direct the Opposite Parties not to demolish the Asbestos House constructed by the Trust with



poor contribution from its members when the said Asbestos House is not causing any inconvenience to the public and also has not encroached upon any public Road and the said lane is also not a passage for public.

And in case, the Opposite Parties fails to show cause or show insufficient cause, the said Rule Nisi may be made absolute and upon hearing the parties through their counsel, this Hon'ble Court be further pleased to issue appropriate writ/writs in the nature of MANDAMUS or any other suitable writs to quash the Annexure-3 issued by the BMC and direct the Opposite Parties not to demolish the Asbestos House constructed by the Trust when the said Asbestos House is not causing any inconvenience to the public and also has not encroached upon any public Road and the said lane is also not a passage for public."

3. Heard learned counsel for the Petitioner and learned counsel for the State.
4. Considering the submissions made by learned counsel for the respective parties and the averments in the Writ Petition, this Court directs the Petitioner to vacate the land/space in question, which has been constructed upon Government land, within one month from the date of this order. Failing compliance, the concerned authorities shall be at liberty to take appropriate action against the encroachers.
5. In view of the above, the Writ Petition stands disposed of.



6. Pending application (s), if any, shall stand disposed of.
7. Issue urgent certified copy of this order as per Rules.

(Dr. Sanjeeb K Panigrahi)
Judge

Sipun