



IN THE HIGH COURT OF ORISSA AT CUTTACK  
W.P.(C) No.20141 of 2026

*Bijayeeni Dhal*

.....

*Petitioner(s)*

*Mr. Biswajit Nayak, Advocate*

*-versus-*

*Secretary, Bhubaneswar  
Development Authority,  
Bhubaneswar*

.....

*Opposite Parties*

*Mr. Debasish Nayak, AGA*

**CORAM:**

**THE HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI**

**ORDER**

**08.07.2026**

**Order No.**

01.

1. This matter is taken up through hybrid arrangement.
2. The Petitioner, by filing this Writ Petition, has sought for a direction from this Court to the Bhubaneswar Development Authority (BDA), Bhubaneswar to dispose of the representation of the petitioner (Annexure-3) and take a decision with regard to the claim of the petitioner.
3. Learned counsel for the Petitioner submits that the Petitioner purchased a land measuring an area of Ac.0.095 dec. in Plot No.89/2743 under Khata No.365/1589 in Mouza - Malipada from one Durga Madhab Deo. Said Durga Madhab Deo had huge patch of land in Mouza Malipada measuring an area near about Ac.30.150 dec of land. He sold the said land to multiple buyers by different sale deeds either by himself or through his son as his



power of attorney holder by making various sub-plots and by facilitating access roads to each of the sub-plots. The petitioner has purchased the sub-plot Nos. 24 and 25 in executing the sale deed. Similarly, more than 400 sale deeds have been executed and registered by Durga Madhab Deo in favour of various persons in the said plotting scheme against Plot Nos.55, 89 and 91 under Khata Nos.109 and 110 of Mouza Malipada. In all the sale deeds of all such buyers including the petitioner sketch maps are attached and according to the sketch map road has been carved out in the said plotting scheme as connecting passage to the respective plot owners including the petitioner. According to the sketch map of the plotted area, there is an access road of 20 ft. width and in the sale deeds of all the buyers they have acquired easementary right in respect of the said access road. The area covered by the said access road in the plotted scheme will be more than Ac.5.000 dec. on which all the buyers have their right of easement of necessity. TP scheme of BDA is going to be implemented over the land purchased by the petitioner as well as the entire Ac.30.150 dec. of land. Such internal road of 20 ft. width inside the plotted scheme is physically used and occupied by the buyers



including the petitioner as per the layout sketch map attached to the individual sale deeds of the buyers.

4. According to the TP scheme of BDA, since the concerned area is covered, certain benefits will be given to the land owner / occupier. According to the petitioner, all the buyers are entitled to the said benefits under the TP scheme as they are exclusively using and occupying the internal road in the plotted area. Since no revenue settlement camp has been organized in Mouza Malipada, the internal roads have not yet been regularized and recorded as revenue road despite their physical existence and uses.

5. Be that as it may, according to the SOP (Annexure-1), while calculating the land area for the proposed uniform deduction / contribution of 40%, the area attributable towards the 20 ft. internal road in the project should be adjusted against the land area of the respective buyers and, accordingly, necessary benefits should be extended to the buyers of the said project area. It is only the buyers of the said project who are legally entitled to get the benefits under the SOP (Annexure - 1) and not the land owner who has sold the easementary right to the buyers in respect of the said internal road of 20 ft. width inside the project area. However, the BDA is not



considering the legitimate claim of the petitioner and other buyers nor responding to the representation submitted by various buyers for which the petitioner is compelled to approach this Court for necessary relief. The petitioner clarifying her grievance on the above subject matter made a representation to the BDA / Opp. Party which was received on 30.05.2026. But, the BDA / Opp. Party is not responding the request of the petitioner. Similarly, many other buyers have also made identical representations to BDA. But all of those representations are pending unattended till date which necessitated filing of this writ petition.

6. Considering the submissions made and on going through the averments made in this petition, this Writ Petition stands disposed of directing the Opposite Party to dispose of the representation filed by the petitioner under Annexure-1 by passing a reasoned order after giving opportunity of hearing to the petitioner including personal hearing as expeditiously as possible.

7. The Writ Petition stands disposed of, accordingly.

*(Dr. Sanjeeb K Panigrahi)*  
*Judge*