



THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24011 of 2026

Bijayananda Mohanty

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Petitioner(s)

*Mr. Amiya Kumar Mohanty(A),
Advocate*

-Versus-

State of Odisha & Ors.

.....

Opposite Party (S)

Ms. Gayatri Patra, ASC

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

30.07.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. This matter was not in today's list. On being mentioned, this matter is taken up through Special Notice.
3. The Petitioner, by filing this Writ Petition, has made a prayer to quash the order dated 21.07.2026 passed by the learned DC-cum-A.O.(ODA Court) Bhubaneswar Municipal Corporation, Bhubaneswar in UAP Case No.44/2026(SW).
4. Learned counsel for the Petitioner submits that the Petitioner has been allotted a plot No.A/5 HIG-1, Lingaraj Vihar, Mouza-Bhimpur, PS-Airport, Bhubaneswar, District-Khordha. He had set up a small health care unit (OPD and medicine) within the premises for the help of the poor people. There is no public obstruction it is within the premises and the petitioner had already requested the authority to grant permission for the aforesaid health



unit alleged to have been constructed for commercial purposes. But the authorities are yet to consider the same. On 21.07.2026, the Opposite Party No.3 had passed an order directing for seal/close and demolition of the said structure. The Petitioner has not been given an opportunity of hearing. Hence, this case.

5. Considering the submissions made, this Court directs the Petitioner to approach the Appellate Authority under Section 91(2) of the Odisha Development Authorities Act along with an application for condonation of delay, if any, within a period of 30 days from today. In such event, the said authorized appellate authority shall condone the delay, if any, liberally and pass a reasoned order within one month thereafter.

6. It is further directed that till the appeal is filed before the appellate authority, no coercive action shall be taken against the Petitioner.

7. The Writ Petition stands disposed of, accordingly.

8. The web copy of the order be treated as authenticated copy.

(Dr. Sanjeeb K Panigrahi)
Judge