



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.21503 of 2025**

***Pratap Bhoi***

...

***Petitioner***

Mr. P.K. Rath, Advocate

-versus-

***1. State of Odisha,  
represented through its  
Secretary, Panchayati Raj  
Department,  
Bhubaneswar  
2. Collector, Cuttack  
3. Project Director, DRDA,  
Cuttack  
4. Block Development  
Officer, Kantapada,  
Cuttack  
5. General Manager,  
Odisha, SC & ST  
Development Finance Co-  
operative Corporation  
Limited, Bhubaneswar  
6. Sanjay Kumar Bhoi  
7. ST & SC Development  
Minorities & Backward  
Classes Welfare  
Department,  
Bhubaneswar***

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***Opposite Parties***

Mr. M.R. Mohanty, AGA  
Mr. P.C. Das, Advocate  
Mr. N. Swain, Advocate



**CORAM: JUSTICE V. NARASINGH**  
**ORDER**  
**07.07.2026**

**Order No.**

- 12.** 1. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
2. Being aggrieved by the inaction of the State Authorities in not awarding the work order in favour of the Petitioner for execution of "Construction of CC Road from Sunei Bhoi House to Kakatpur Branch Canal Bandha", the present Writ Application has been filed.
3. It is apt to note that the subject matter of this lis was agitated before this Court, in W.P.(C) No.1780 of 2015 disposed of on 23.03.2015, W.P.(C) Nos.2554 & 12774 of 2015 disposed of on 09.09.2015 and W.P.(C) No.13430 of 2016 on 19.09.2024.

For convenience of reference, the relevant extract of the orders passed in the aforementioned writ petitions are extracted hereunder:-

"W.P.(C) No.1780 of 2015

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Taking into consideration the limited nature of grievance made in the writ application, the petitioner is directed to file a detailed representation before the Collector, Cuttack-O.P. No.1 in this regard within fifteen days from today. If such a representation is filed by the petitioner before the Collector, Cuttack-O.P. No.1, the same shall be disposed



of by the Collector on merit within a period of four weeks from the date of its filing.

The petitioner is directed to file a copy of the writ application containing all the annexures along with the certified copy of this order before the Collector, Cuttack for onward action at his end.

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xxx”

“W.P.(C) Nos.2554 & 12774 of 2015

7. Since the grievance of the petitioners involves disputed questions of fact and as the aforesaid resolution has not been considered from its proper perspective, this Court remits the matter back to the Collector, Cuttack to consider the same afresh after giving opportunity of hearing to the parties.

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xxx”

W.P.(C) No.13430 of 2016

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3. Learned Counsel appearing for the Petitioner contended that Petitioner may be permitted to withdraw the Writ Petition with liberty to approach Opp. Party No.4 for consideration of the Petitioner’s claim.

4. In view of the same, the Writ Petition is disposed of as withdrawn with the aforesaid liberty.”

4. It is submitted by learned Counsel for the Petitioner that in spite of the letter at Annexure-6 of DWO-Cum-District Manager OFSDC Ltd., Cuttack addressed to the Block Development Officer, Kantapada dated 21.02.2015 indicating that the execution of the work be entrusted to the Petitioner



subject to fulfillment of the requirements the same has not been done on some pretext or the other.

5. Be that as it may, it is submitted that in the meanwhile as per amendment of the provisions as contained in the Orissa Panchayat Samiti Accounting Procedure Rules 2002, the work has to be executed departmentally and accordingly work order has been issued in favour of the Assistant Engineer and the same is borne out from the additional affidavit filed by the Petitioner. The said work order has been annexed as Annexure-11 to the Writ Petition.

Referring to the same, it is stated that since the time stipulated in the said work order has already elapsed by efflux of time, the same has lost its validity as per clause-1 of the terms and conditions as stated in the said work order.

6. It is the submission of the learned counsel for the Petitioner that because of change of the procedure, now the work has to be executed departmentally, but his concern is that while using the work force the spirit of MNREGA ought not to be frustrated, because of the arbitrary action of any of the authorities executing the work.

7. It is apt to note that the said scheme in the meanwhile has been substituted by VB-G RAM G (Viksit Bharat - Guarantee for Rozgar and Ajeevika Mission Gramin)



8. The learned counsel for the State referring to the counter affidavit submits that the Petitioner does not have any cause of action to invoke the writ jurisdiction.

9. The recitals in the counter affidavit have been refuted to in the rejoinder.

10. Taking into account the grievance as agitated by the Petitioner, this Court is of the considered view that interest of justice will be sub-served, if the authorities are directed to execute the work in question i.e. "Construction of CC Road from Sunei Bhoi House to Kakatpur Branch Canal Bandha" through departmentally as per the latest guideline but keeping in view the schematic arrangement of so VB-G RAM G scheme so far as utilization of local work force is concerned.

11. This Court has no iota of doubt that while executing such work, the authorities shall keep the same in mind.

12. Taking into account that the work relates to construction of a road the authorities shall initiate steps to execute the same at the earliest preferably within a period of four weeks from the date of uploading of this order.

13. The Writ Petition is accordingly disposed of.

**(V. NARASINGH)**  
**Judge**