

**ORDER PASSED BY VICE-CHAIRMAN, BDA ON 24.11.23 IN COMPLIANCE TO THE ORDER DTD. 12.09.2023 OF THE HON'BLE HIGH COURT IN W.P.(C) No. 29875 of 2023.**

This is regarding compliance to the order dtd. 12.09.2023 in WP(C) No. 29875 of 2023 filed by M/S-Laxmi Builders & Developers Pvt. Ltd. Hon'ble High Court disposed of the writ petition on 12.09.2023. The relevant part of the order is as follows:-

*"The writ petition stands disposed of with the liberty allowed in favour of the petitioner to submit a representation addressed to the authority concerned and in the event, the same is received from him within a fortnight from today. Opposite party No. 2 shall entertain the same and thereafter, to proceed and to pass necessary order vis-a-vis the claim for exclusion of Plot No. 7601 (P) and 7604 under Khata No. 4689 of the Mouza in question providing an opportunity of hearing to it at the earliest preferably within next two weeks and till such time to maintain status quo in respect of the plots in question".*

In obedience to the order of the Hon'ble Court M/S-Laxmi Builders & Developers Pvt. Ltd. filed a representation dtd. 27.09.23 before Chairman-cum-Vice-Chairman, CEMC, Bhubaneswar, BDA. For compliance of the order of the Hon'ble High Court, notice was issued to the petitioner twice on 07.10.2023 & 20.10.2023 by post and also by the Special Messenger. But notice could not be served. Postal Authorities failed to serve the notice and returned back with endorsement "insufficient address". Finally, the notice was published in 'Prameya' odia daily news paper on 16.11.2023 fixing the date of hearing to 20.11.2023. But the petitioner neither appeared nor take any step to cause appearance to participate in the hearing. As such, the petitioner is made ex-party.

Gone through the writ petition, order dtd. 12.09.2023 of the Hon'ble High Court and relevant file to consider the allegations made by the petitioner in the writ petition.

It was revealed that the CEMC programme has been made for 07.09.2023 wherein it has been mentioned that Joint Director of Estate-cum-Addl. Secretary to Govt. has filed a requisition vide letter No.25484 dtd. 29.08.2023 with a request to take necessary action for eviction of the unauthorised structures through CEMC from the Govt. Plot No. 7601 (P) and 7604 recorded in G.A.Deptt. Khata No.4689 of Mouza-Gadakan. It may be stated here that UAP case No. 77/2021 covers plot No. 7600, Khata No. 4689 of Mouza-Gadakan recorded in the name of G.A.Deptt. So the allegation made by the petitioner that the plot No. 7601(P) & 7604 under Khata No. 4689 of mouza-Gadakan has been reflected in CEMC programme on the strength of UAP case No. 77/21 is misconceived.

Under the above premises, the claim for exclusion of Plot No. 7601(P) & 7604 under Khata No. 4689 of Mouza-Gadakan out of CEMC programme is not accepted. As such, the representation filed by the petitioner on 27.09.2023 stands disposed of. Since the petitioner has been made ex-party and the postal agency failed to serve the notice, this order needs to be flagged in BDA web-side.

  
**Vice-Chairman**  
**BDA, Bhubaneswar**