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**(2021) 09 OHC CK 0077**

**In the Orissa High Court**

**Case No : Writ Petition (Civil) No. 583 Of 2003**

Choudhury Sarat Kumar Dash and Others

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

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**Date of Decision : 20-09-2021**

**Acts Referred:**

**Citation : (2021) 09 OHC CK 0077**

**Hon'ble Judges : Dr. S. Muralidhar, CJ; B.P. Routray, J**

**Bench : Division Bench**

**Advocate : M.R. Panda, Debakanta Mohanty, S.K. Acharya**

**Final Decision : Dismissed**

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## **Judgement**

1. The present petition was filed by the villagers of village Astaranga, P.S. Kakatpur, Dist-Puri for a direction to the Opposite parties to remove illegal and unauthorized construction over the public road from Kakatpur to Astaranga.
2. Initially, this Court had on 24th March, 2008 passed an interim order that no further construction on the road of the villagers shall be made.
3. It appears that alleging disobedience of the above order, Misc. Case No.3751 of 2009 was filed before this Court. However, on 9th May, 2009 the said application was dismissed as not pressed.
4. The petition was not listed even once thereafter.
5. Having heard learned counsel for the Parties, the Court is of the view that since the construction in question has continued for over 18 years, if at this stage any order is passed, it will far from resolving the problem, create one.
6. Consequently, the Court is not inclined to grant the reliefs as prayed for. The writ petition is dismissed.

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