

(2021) 08 OHC CK 0088

In the Orissa High Court

Case No : Writ Petition (Civil) No. 24027 Of 2021

Jitendriya Rout And Ors

APPELLANT

Vs

CMC, Cuttack And Ors

RESPONDENT

Date of Decision : 19-08-2021

Acts Referred:

Citation : (2021) 08 OHC CK 0088

Hon'ble Judges : C.R. Dash, J

Bench : Single Bench

Advocate : S.K. Mishra, Samapika Mishra,

Final Decision : Disposed Of

Judgement

C.R. Dash, J

1.This matter is taken up through hybrid mode.

2. Heard.

3. The authorities of Cuttack Municipal Corporation vide Annexure-2 debarred Relilance Jio from constructing a tower on the place where now Indus

Towers Ltd. (Opposite Party No.7) has been allowed to construct a tower.

4. The construction of tower is being objected to by the public on the ground that, it is a thickly populated area and secondly, in the event of natural

calamities, the tower may affect human life and property. In this regard, a representation vide Annexure-4 has been filed before the Commissioner,

Cuttack Municipal Corporation-Opposite Party No.1. The said representation is stated to be still pending.

5 Regard being had to the facts and submissions and the nature of relief sought for, the writ petition is disposed of directing the Commissioner, Cuttack

Municipal Corporation-Opposite Party No.1 to dispose of the representation of the petitioners vide Annexure-4 in accordance with law by passing a

reasoned order, within a period of two months from the date of receipt of the certified copy of this order.

6. The Commissioner is directed to take into consideration the Annexure-2, while disposing the representation vide Annexure-4.

7. Till disposal of the representation, parties are directed to maintain status quo, so far as the construction of tower is concerned.

8 The petitioners are directed to supply the copy of the writ petition containing all the annexures along with certified copy of this order to Opposite

Party No.1 for convenience and reference to Annexure-4.

9. The writ petition is accordingly disposed of.

10. Urgent certified copy of this order be granted as per rules..

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