

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA**

**I.A. No- 36 of 2024**

**(Arising out of Original Application No- 106/2022/EZ)**

In the matter of:- **Shri Jogendra Pradhan**  
..... **Intervenor/Proposed Respondent**  
**AND**

In the matter of:- **Dasarathi Swain** ... **Applicant**  
**-VERSUS-**  
**State of Odisha and others** ... **Respondents**

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CUTTACK:

DATE: 11/03/2024

  
ADVOCATE.

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA**

**I. A. No - \_\_\_\_\_ of 2024  
Original Application No- 106/2022/EZ**

In the matter of:- A petition for intervention/ addition of parties.

AND

In the matter of:- **Shri Jogendra Pradhan aged about 68 years,**

**S/o- Late Bauri Pradhan,**

**At- Dhenkana, Po- Malisahi, Ps/Dist- Nayagarh.**



..... Intervenor / Proposed  
Respondent

AND

In the matter of:- **Dasarathi Swain**

... Applicant

**-VERSUS-**

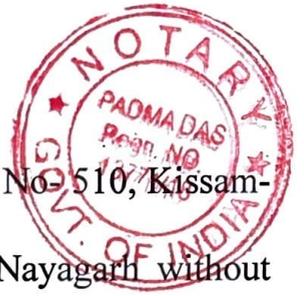
**State of Odisha and others**

... Respondents

The humble petition of the  
intervenor named above;

**MOST RESPECTFULLY SHEWETH:-**

1. That the above Original Application has been filed by one Dasarathi Swain with the allegation that road from Balabhadrapur to Dhimpal is



being constructed on Plot No- 773 and 9 and Khata No- 510, KISSAM-  
Gramya Jungle, in Mouza - Gudupangi of Dist- Nayagarh without  
having forest clearance as required under Section- 2 of the Forest  
(Conservation) Act, 1980.

2. That by order dated- 20.10.2023 this Hon'ble Tribunal adjourned the matter awaiting the further development of W.P.(C) No- 21456 of 2017 (Duryodhan Pradhan and others Vrs. Union of India and others) and W.P.(C) No- 35174 of 2020 (Jogendra Pradhan and others Vrs. State of Orissa and Others) and by order dated- 08.02.2024 the matter was adjourned to 11.03.2024 observing that W.P(C) No- 35174 of 2020 (Jogendra Pradhan and others Vrs. State of Orissa and Others) has been dismissed on 07.12.2023 due to non-prosecution.
3. That the present intervenor namely Jogendra Pradhan being authorised by 75 number of villagers of different villages filed the above Writ Petition No- 35174 of 2020 in the nature of a PIL before the Hon'ble High Court of Orissa against the State of Orissa, Union of India, certain other statutory authorities and private individuals namely Duryadhan Pradhan and others with the prayer to direct the Opp. Parties to make construction work of road from Balabhadrapur to Dhipamala as the 1<sup>st</sup> sanctioned road project in PMGSY Scheme which is the subject matter before this Hon'ble Tribunal. Another

*Padma Das*

prayer has also been made in the writ petition to set aside the revised road project on several legal grounds.



One of the Opp. Party of the above writ petition namely Duryodhan Pradhan is the petitioner along with some other persons in W.P.(C) No- 21456 of 2017 which was filed before the Hon'ble High Court of Orissa.

4. That in the W.P.(C) PIL No- 35174 of 2020 counter affidavits have been filed by different departments of State Government as well as Union of India and private Opp. Parties have also filed their affidavits on the subject matters which is pending for adjudication before this Hon'ble Tribunal.
5. That the petitioners of the above Writ Petition No- 35174 of 2020 filed I.A. No- 3470 of 2024 for restoration of the case which was dismissed for default on the grounds stated therein and the matter is likely to be taken by the Hon'ble High Court of Orissa shortly and there is every chance of restoration of the case and hearing of the same on merits.
6. That after necessary verification and getting no objection and consent for the said village road in question necessary amount was sanctioned to benefit huge number of villagers of 14 villages having large number of SC and ST population in the district of Nayagarh. However some motivated persons of village Gudupangi in connivance of some

*D. Kolar.*

local politicians wanted to cause obstruction in getting the project completed. The petitioner/intervenor took all such efforts to get all such clearances in the matter and one amicable settlement also took place between the Gudupangi Villagers and Petitioner's Villagers in presence of the District Administration and Local Police for development of the village road but suppressing all the materials in this regard the matter was agitated before this Hon'ble Tribunal by one Dasarathi Swain who has been set up by some mischivious persons of the village- Gudupangi to cause deliberate obstruction in construction of the village road.

7. That the intervenor who is the Petitioner of the W.P.(C) No- 35174 of 2020 being the representatives of huge number of villagers in the district of Nayagarh is a necessary party to the present proceeding and he should be allowed to be added as a Respondent for enabling him to file the written statement/objection and all the necessary documents in connection with the case for proper adjudication of the matter and the same is also necessary in the interest of natural justice.

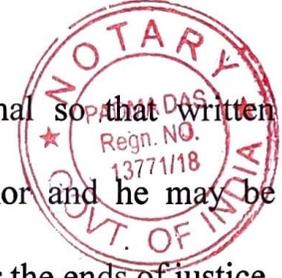
### PRAYER

It is humbly prayed that the intervenor named above be added as one of the respondents in the above case and the petitioner as well as respondents may be directed to serve their pleadings/documents



*Dasarathi Swain*

within a time specified by this Hon'ble Tribunal so that written statement/objection can be filed by the intervenor and he may be allowed to take part in the hearing of the matter for the ends of justice.



And for this act of kindness the intervenor shall as in duty bound ever pray.

Cuttack

By the Intervenor through,

*A. K. Katar*

ADVOCATE

Date- 11/03/2024

Sl. No. .... /20

**AFFIDAVIT**

I, Shri Jogendra Pradhan aged about 68 years, S/o- Late Baury Pradhan, At- Dhenkana, Po- Malisahi, Ps/Dist- Nayagarh, do hereby solemnly affirm and state as follows:-

1. That, I am the Intervenor in the above case and I am fully acquainted with the subject matter pending before this Hon'ble Tribunal.
2. That, the facts stated above are all true to the best of my knowledge and belief.



Identified by

*A. K. Katar*

Advocate

ENROLL No - 0-199/22

*Jogendra Pradhan*  
Deponent.

SOLEMNLY AFFIRMED AND DECLARED  
BEFORE ME ON IDENTIFICATION

*Padma Das*

PADMA DAS  
NOTARY

11 MAR 2024

IN THE HIGH COURT OF ORISSA AT CUTTACK  
W.P.(C) No. 21456 of 2017

*Duryodhan Pradhan and Others* ... *Petitioners*

None

-versus-

*Union of India and Others* ... *Opposite Parties*

Mr. Debakanta Mohanty, Addl. Govt. Advocate (State)  
Mr. P.K. Parhi, Deputy Solicitor General (UOI)

**CORAM:**  
**ACTING CHIEF JUSTICE DR. B.R. SARANGI**  
**MR. JUSTICE MURAHARI SRI RAMAN**

**Order No.**

**ORDER**  
**07.12.2023**

06.

1. None appears for the petitioners at the time of call.
2. Mr. P.K. Parhi, learned Deputy Solicitor General for Opposite Party-Union of India and Mr. Debakanta Mohanty, learned Addl. Govt. Advocate for Opposite Party-State are present.
3. Since it is a year-old matter, we are not inclined to grant further time. Accordingly, the writ petition is dismissed for non-prosecution.

**(DR. B.R. SARANGI)**  
**ACTING CHIEF JUSTICE**

**(M.S. RAMAN)**  
**JUDGE**

SK Jena/Secy.

Signature Not Verified

Digitally Signed  
Signed by: SANJAY KUMAR JENA  
Designation: SECRETARY  
Reason: Authentication  
Location: High Court of Orissa, Cuttack.  
Date: 09-Dec-2023 14:16:06

True copy attested  
A. K. Jena  
ADVOCATE

IN THE HIGH COURT OF ORISSA AT CUTTACK  
W.P.(C) No. 35174 of 2020

*Jogendra Pradhan and Others* ... *Petitioners*

None

-versus-

*State of Odisha and Others* ... *Opposite Parties*

Mr. Debakanta Mohanty, Addl. Govt. Advocate (State)  
Mr. P.K. Parhi, Deputy Solicitor General (OP Nos.3 and 4)

**CORAM:**  
**ACTING CHIEF JUSTICE DR. B.R. SARANGI**  
**MR. JUSTICE MURAHARI SRI RAMAN**

**ORDER**  
**07.12.2023**

**Order No.**

14.

1. None appears for the petitioners at the time of call.
2. Mr. P.K. Parhi, learned Deputy Solicitor General for Opposite Party Nos.3 and 4, Mr. Debakanta Mohanty, learned Addl. Govt. Advocate for Opposite Party No.1 and 2 and Mr. Sankar Prasad Pani, learned counsel for Opposite Party Nos.12 to 14 are present.
3. Since it is a year-old matter, we are not inclined to grant further time. Accordingly, the writ petition is dismissed for non-prosecution.

**(DR. B.R. SARANGI)**  
**ACTING CHIEF JUSTICE**

**(M.S. RAMAN)**  
**JUDGE**

SK Jena/Secy.

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D. K. Jena  
ADVOCATE

# FORM OF VAKALATNAMA

IN THE HIGH COURT

National Green Tribunal, Eastern Zone, Kolkata  
O.A. Case No. 106 of 2022/EZ.

Between Dasarathi Swain Plaintiff/Appellant/Petitioner  
Versus  
State of Odisha and others Defendant/Respondent/Opp. Party

Know all men by these presents that by this Vakalatnama

I/We Sri Jogendra Pradhan aged about 68 years, s/o -  
Kali Bauray Pradhan, At - Dhenkana, Po - Malisahi,  
Ps/Dist - Nayagarh.

Plaintiff / Defendant / Appellant / Respondent / Petitioner / Opposite Party in the aforesaid Suit / Appeal / Case do hereby appoint and retain Sri Anup Kumar Bose, Adv, Sri Arpit Sikdar, Adv, Mob No - 8763221672, Gmail Id - advarpitsikdar98@gmail.com

Advocate (s) to appear for me/us in the above case, and to conduct and prosecute or defend the same and all proceeding that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or receipt of any moneys that may be payable to me/us in the said case and also in applications for review in appeals under Orissa High Court Order and in applications for leave to appeal to Supreme Court. I/We authorise my/our Advocate (s) to admit any compromise lawfully entered in the said case.

Dated the 11/03/2024

Recived from the Executant (s)  
satisfied and accepted as I hold  
no brief for the other side.

Jogendra Pradhan  
SIGNATURE OF EXECUTANTS

Advocate

Accepted as above

Sikdar  
Advocate

<   

Intervention Application in O.A.

No- 106/2022/EZ filed by Jogendra Pradhan. 



me 12:32 PM



to Sankar, saswatapatnaik@yah... ^

From Arpit Sikdar advarpitsikdar98@gmail.com

To Sankar Pani sankarprasadpani@gmail.com

saswatapatnaik@yahoo.co.in  
saswatapatnaik@yahoo.co.in

Date 2 May 2024 at 12:32 PM

Sir/Mam,

I am sending herewith the copy of the Intervention Application filed by Jogendra Pradhan along with the annexures in O.A. No- 106/2022/EZ.

Yours Sincerely,

Arpit Sikdar

Advocate for the Intervenor

Mob- 8763221672

Adobe Scan 2 May  
2024.pdf



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