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Location: OHC
Date: 28-Aug-2026 17:11:27



THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.25163 of 2026
CNR No. ODHC010561202026

Baikunthanath Mohanty ***Petitioner (s)***
Mr. Mohit Agarwal, Advocate
-versus-

State of Odisha & ***Respondent (s)***
Ors. ***Mr. Prabhu Prasanna Behera,***
ASC

CORAM:
HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI

Order No.
01.

ORDER
28.08.2026

1. This matter is taken up through hybrid arrangement.
2. The Petitioner has filed this Writ Petition seeking a direction from this Court to the Opposite Party No.3 to take action as per Section 7 of the Odisha Prevention of Land Encroachment Act, 1972, and dispose of Encroachment Case Nos.441/2023-24, 442/2023-24 and 443/2023-24 within a period of 30 days.
3. Learned counsel for the Petitioner submits that the Petitioner had filed a petition under the Odisha Prevention of Land Encroachment Act, 1972 before the Opposite Party No.3 to remove the said encroachments and accordingly Encroachment Case Nos.441/2023-24, 442/2023-24 and

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443/2023-24 were registered against the encroachers namely Khageshwar Mallick @ Ganeshwar Mallick, Dillip Kumar Mallick and Bichitra Kumar Nayak, respectively. The Petitioner made a representation dated 20.6.2026 to the Opposite Party No.3 to carry out the necessary eviction as per Section 7 of the OPLE Act, 1972 and Form 'Kha' issued earlier and bring the three encroachment cases to a logical end. However, the Opposite Party No.3 has not taken any action in this regard. Hence, this case.

4. Considering the submissions made by the learned counsel for the Petitioner and on going through the averments made in this Writ Petition, without going into the merits of the case, this Court directs the Tahasildar, Pattamundai to dispose of the Encroachment Case Nos.441/2023-24, 442/2023-24 and 443/2023-24 within a period of one month from today.

5. It is further made clear that if the aforesaid cases are not disposed of within the stipulated period, the petitioner is granted liberty to file CONTC before this Court.

6. The Writ Petition stands disposed of, accordingly.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali