



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 25366 of 2026

CNR No. ODHC010564852026

Tayub Ansari

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Petitioner(s)

*Mr. Arun Kumar Budhia,
Advocate*

-versus-

State of Odisha & Ors.

Opposite Parties

*Mr. Prabhu Prasanna Behera, ASC
Mr. Amitav Das, Senior Advocate
along with associates for O.P No.4
Mr. Anshuman Das, Advocate*

CORAM:

HONOURABLE DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

13.08.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. The present Writ Petition has been filed by the Petitioner with a prayer to quash the order dated 15.07.2026 passed by the Opposite Party No.4/ the Executive Officer, Dhenkanal Municipal council.
3. Heard learned counsel for the parties.
4. Learned counsel for the Petitioner submits that the Petitioner is a slum dweller who has been residing in house constructed by her over Plot Nos. 94/5767(p) under Khata No. 539 of Mouza-Banamaliprasad, in the district of Dhenkanal for more than

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Signed by: GITANJALI NAYAK
Designation: Senior Stenographer
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Location: OHC
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twenty years. He further submits that the Petitioner had approached the Executive Officer, Dhenkanal Municipal council by filing a representation seeking settlement of the land in question under the provisions of the Odisha Land Rights to Slum Dwellers Act, 2017. However, the said representation has been rejected by the Executive Officer, Dhenkanal Municipal council vide order dated 15.07.2026.

5. Learned counsel for the Petitioner further contends that the Authorities, in gross violation of the provisions of the Odisha Land Rights to Slum Dwellers Act, 2017, have initiated steps to displace the Petitioner from the land in question without affording them any opportunity of hearing and without adhering to the due procedure prescribed under law.
6. At this juncture, learned counsel for the Dhenkanal Municipality submits that the Municipal Authority is not disturbing any person who has been granted a Land Rights Certificate (LRC). He further submits that all persons who had not obtained LRC were afforded an opportunity to apply for the same, provided they were otherwise eligible under law. It is further contended that, prior to passing any order of eviction, the Municipal Authority had also granted such persons an opportunity to produce their respective LRCs. However, many of the encroachers failed to





produce any LRC despite being afforded sufficient opportunity. Consequently, the Municipal Authority was constrained to issue orders of eviction for the purpose of implementation of various developmental projects over the encroached Government land.

7. In view of the aforesaid facts and circumstances of the case, and considering that the competent Authorities have afforded sufficient opportunity to the Petitioner at every stage of the proceedings, this Court is not inclined to entertain the present Writ Petition.
8. It is made clear that, if the Petitioner has obtained Land Rights Certificates, she shall be at liberty to produce the same before the competent Authority. Upon such production, the Authority shall consider her case sympathetically, in accordance with law, and shall not evict her from the land in question.
9. It is further made clear that, if the Petitioner has not yet been issued a Land Rights Certificate (LRC), she shall be at liberty to apply for the same by submitting the requisite documents before the competent Authority. Upon receipt of such application, the competent Authority shall consider the same in accordance with law and, if the Petitioner is found eligible, issue the Land Rights Certificate (LRC) within a period of one month from the date of filing of the application. If any appeal filed by the Petitioner, the





Appellate Authority shall dispose of the same at the earliest possible.

10. Accordingly, the Writ Petition is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali

