

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.18861 of 2008

Srikanta Nayak

....

Petitioner(s)

Mr.D.Ray, Advocate

-versus-

State of Orissa & Ors.

....

Opp.Party(s)

Mr.S.P.Panda, AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

02.12.2022

Order

No.

4.

1. Heard learned counsel appearing for the parties.
2. In a way to consider the rival, this Court entering into the impugned order vide Anenxue-7 finds this is an order in disposal of a L.E. proceeding. Undisputedly, there is statutory remedy of appeal.
3. Be that as it may, in entertaining the proceeding this Court by order dated 23.12.2008 while issuing notice passed the following:

“Till next listing of the case, it is provided that status quo as on today in respect of the possession of the petitioner over plot No.1125, Khata No.241 under Mouza-Narasinghpur shall be maintained by the parties.”

4. Keeping in view there is already an order of status quo in respect of possession of the petitioner over plot No.1125, Khata No.241 and undisputedly there has been no move by State Authority for vacation of such order. This Court here, keeping in view the petitioner has a statutory remedy of appeal, disposes of the writ petition without interfering in such impugned order at this stage leaving it to the petitioner, if so advised, prefer appeal involving such order.
5. Interim order in favour of the petitioner may continue at least four weeks and or till disposal of interim application

to be filed along with Miscellaneous Appeal, if preferred in the meantime.

6. The writ petition disposed of.

(Biswanath Rath)
Judge

Sks

