

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 557 OF 2022

Kesari Dakua

....

Petitioner

Mr. Santosh Kumar Mahanty,
Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
16.03.2022

Order No.

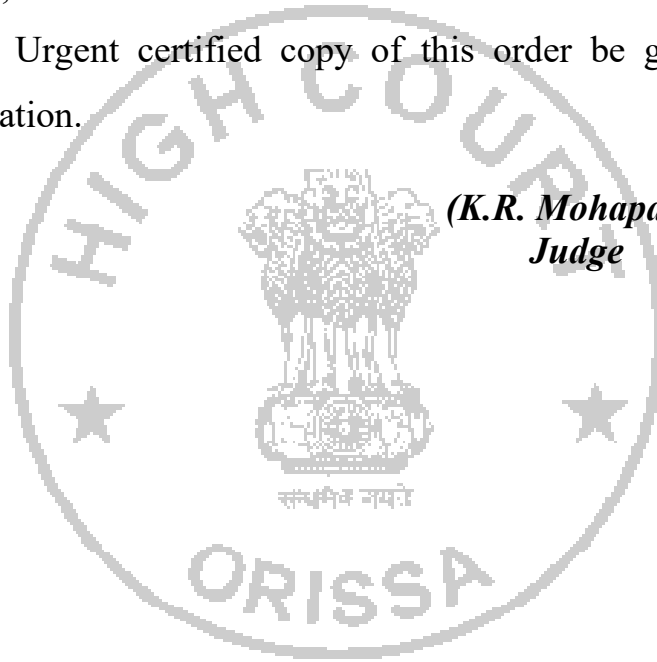
5. 1. This matter is taken up through hybrid mode.
2. Certified copy of Annexure-1 is filed in Court today, which is taken on record.
3. The Petitioner in this writ petition seeks to assail the order dated 4th February, 2021 passed by the Sub-Collector, Bhanjanagar in Misc. Case No.01 of 2020 filed under Section 22 of the O.L.R. Act, 1960.
4. In course of hearing, Mr. Mahanty, learned counsel for the Petitioner submits that although the Petitioner received notice, but he could not appear before the Sub-Collector, Bhanjanagar on 4th February, 2021 and defend his case properly. He further submits that interest of justice will be best served, if the Petitioner files an appeal under Section 58 of the O.L.R. Act, 1960 against the impugned order under Annexure-1 and till filing of the appeal, his possession over the land in question may be protected.
5. Mr. Mishra, learned Additional Standing Counsel submits that the Petitioner may prefer an appeal against the impugned order

under Annexure-1 and may move the authority for interim protection.

6. In view of the above, this writ petition is disposed of with a direction that in the event the Petitioner files an appeal within a period of two weeks hence along with the petitions for condonation of delay and interim protection enclosing certified copy of this order, no coercive measure shall be taken against the Petitioner for eviction from Plot No.4028/5586 under Khata No.327 in mouza Brahmanapadar in the district of Ganjam for a period of three weeks, if he has not been evicted in the meantime.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge



bks