

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.23714 of 2013

Smt. Sujata Tripathy

..... Petitioner
Mr. P.K. Mishra Advocate

-versus-

State of Orissa and another

..... Opposite Parties
Mr. Ishwar Mohanty, ASC

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

ORDER
05.07.2022

Order No.

04.

1. The challenge in the present writ petition is to a show cause notice issued on 23rd September, 2013 by the Divisional Head IDCO, Keonjhar to the Petitioner requiring her to show cause why she should not be evicted from the land in question.

2. While directing notice to issue in the present petition on 29th November, 2013 this Court directed as a interim measure that IDCO will proceed pursuant to Annexure-2 subject to not interfering with the possession of the Petitioner of land leased out till the next date. That interim order has continued till now.

3, In the last nine years, the IDCO has not filed any counter affidavit. In other words, the averments of the Petitioner remain uncontroverted. Today, none appears for IDCO although at one point of time certain lawyers had entered appearance on its behalf.

4. In that view of the matter, the following directions are issued:

(i) the Petitioner will reply to Annexure-2 not later than 29th August, 2022

(ii) after hearing the Petitioner, the authority concerned who issued Annexure-2 will pass a reasoned order thereon not later than 5th December, 2022.

(iii) It will be open to the Petitioner urged all the plea raised in the present petition in reply to the show cause notice and that will be considered and disposed of by the authority in accordance with law.

(iv) The interim order passed by this Court protecting the Petitioner's possession will continue till the above order is passed by IDCO.

5. If the above order to be passed IDCO is adverse to the Petitioner it will not be given effect to for a period of ten days thereafter to enable to the Petitioner to seek appropriate reliefs.

6. The writ petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge