

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.2132 of 2022

Dillip Mandal

....

Petitioner(s)

Mr.R.Mohanty, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
21.02.2022**

Order No.

01

1. Heard learned counsel appearing for the parties.
2. Undisputedly, the land involved herein has already recorded in favour of the State. Petitioner claims that he is in possession of the disputed land and there should not be any eviction without following due process of law. This Court expresses no opinion on the title of the parties involving the disputed land involved herein and there can be dispute on the recording of the title of the parties in respect of the disputed land. However, for the settled position of law, even a rank encroacher is also required to be evicted following due process of law, this Court observes in the event there is no eviction process initiated involving the petitioner, there should not be eviction of the petitioner without following due process of law.
- 3, With this observation, the writ petition stands disposed of.

(Biswanath Rath)
Judge

Sks