

IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No. 325 of 2016

Shakuntala Jena

....

Appellant

Mr. Sudhansu Sekhar Jena, Advocate

-versus-

***The Commissioner of Police,
Bhubaneswar and Cuttack,
Bhubaneswar and others***

....

Respondents

Mr. Debakanta Mohanty, AGA

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

20.10.2022

Order No.

- 02.
1. A perusal of the impugned order reveals that what the Appellant was seeking was the enforcement of an order dated 9th June, 1997 passed by the Executive Magistrate, Bhubaneswar in Criminal Miscellaneous Case No.405 of 1995 under Section 145 Cr.P.C.
 2. The learned Single noted that the subsequent order purportedly passed by the Additional Deputy Commissioner of Police-cum-Executive Magistrate, Bhubaneswar had also been challenged by the Petitioner in a revision petition before the Sessions Judge, Bhubaneswar. The CRLMP was accordingly dismissed on the ground of maintainability.
 3. Having heard learned counsel for the Appellant, the Court finds that the real grievance the Appellant is about some miscreants disturbing her possession. If that happened way back in 2016, there is nothing placed on record to indicate what has happened in the meanwhile.

4. Learned counsel for the Appellant then submits that the same problem is continuing. If it is so, it will be open to the Appellant to seek other appropriate remedy in separate substantive proceedings in accordance with law.

5. The writ appeal is accordingly dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

M. Panda

