

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.3804 OF 2022

Ramesh Das

....

Petitioner

Mr.L.Pradhan, Adv.

-versus-

State of Odisha & ors.

....

Opposite Parties

Mr.R.P.Mohapatra, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
8.3.2022**

**Order
No.**

01.

1. Heard learned counsel for the Parties.
2. Learned counsel for the Petitioner in his attempt to satisfy this Court on the claim involving the writ petition submitted that the Application under Annexure-2 was made during pendency of a proceeding under the OPLE Act. Taking this Court to Pages-14 & 15 of the Brief, learned counsel for the Petitioner further attempted to satisfy his case that the Application at Annexure-2 was filed during pendency of Encroachment Case No.4888/2019-20.
3. Perusal of these documents at Pages-14 & 15 of the Brief, this Court finds, the proceeding initiated vide Page-14 got to be disposed of in the meantime and penalty amount was even deposited

on 4.3.2018. Undisputedly, Annexure-2 filed only on 06.05.2019 was not filed during pendency of such proceeding. This Court finds no foundation in the claim of the Petitioner and the application under Annexure-2 cannot be considered at this point of time looking to the clear provision at Section 8-A of the OPLE Act 1972.

4. The Writ Petition thus stands dismissed.

(Biswanath Rath)
Judge

M.K.Rout

