

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.4528 OF 2022

Piotal Biswas

....

Petitioner

Mr.M.Mohanty, Adv.

-versus-

Collector, Malkanagiri & ors.

....

Opposite Party(s)

Mr.S.P.Panda, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
15.2.2022**

**Order
No.**

1. Heard learned counsel for the Parties.
2. The Petitioner has a serious allegation involving notice at Annexure-5 whereby the Municipal Authority has directed for removal of encroachment involving the Petitioner within 24 hours. The Petitioner alleges, such notice never involved any eviction proceeding.
3. In the event of eviction requirement, law never permits 24 hours eviction notice. On the own submission of the learned counsel for the Petitioner, the Petitioner has not been touched as of now even though the eviction notice was issued on 8.2.2022. In the event there is no effect to the order at Annexure-5, the Petitioner is not involved in any previous eviction proceeding and the Petitioner is still in occupation of the disputed property, it will be open to the Petitioner to raise his objection to Annexure-5 at least within seven days hence. In the event of filing of such objection, decision, as appropriate, be taken by the Competent Authority, i.e., Executive Officer, Malkanagiri Municipality within a period of three weeks but

however involving the Petitioner. Till such a decision is taken, there shall be no given effect of the order at Annexure-5.

4. With the above direction, the Writ Petition stands disposed of.

5. Issue urgent certified copy.

(Biswanath Rath)
Judge

M.K.Rout

