

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.4531 OF 2022

Ashok Kumar Pradhan

....

Petitioner

Mr.P.K.Mohanty, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.S.P.Panda, Adv.

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

15.2.2022

**Order
No.**

1. Heard learned counsel for the Parties.
2. The Petitioner claims that the proceeding, vide Annexure-3 since pending, there was no occasion for issuing the order at Annexure-6.
3. Perusal of the documents, vide Annexure-2, 3 & 4, this Court finds, the encroachment proceeding, vide Annexure-2 having come to an end and penalty being assessed, the Petitioner appears to have already deposited the fine in 2016. For the opinion of this Court, there is already completion of such proceeding. For the own submission of the learned counsel for the Petitioner that there is no challenge to such order by way of Appeal, on the other hand the Petitioner admitting himself to be an encroacher has volunteered to deposit the penalty. It is not only a case already closed but there is no challenge to holding the petitioner as an encroacher and consequently liable to pay fine.
4. In the circumstance, this Court finds, there is no illegality in issuing notice to the Petitioner at Annexure-6. This Court, therefore, desists from entertaining the Writ Petition, which thus stands dismissed.

(Biswanath Rath)
Judge

M.K.Rout