

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.979 of 2021

Bibhuti Bhusan Biswal

....

Petitioner(s)
Mr. A.P.Bose, Advocate

-versus-

Shidharth Shankar Sahoo

....

Opp.Party(s)
Mr.S.P.Panda, Advocate

CORAM:
JUSTICE BISWANATH RATH

ORDER
07.04.2022

Order No.
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1. Heard learned counsel appearing for the parties.
2. It has been brought to the notice of this Court that undisputedly there is appeal pending involving the order of eviction. Even though there is disclosure by learned State Counsel that the stay order passed in appeal has been subsequently vacated but for the opinion of this Court there cannot be any action against the appellant in the pendency of the appeal. In the interest of justice and looking to the grievance raised by the complainant for removal of the encroachment, the appeal so pending, shall be disposed of at the earliest. In the process, this Court finds the Contempt Application is not entertainable at this stage of the matter. In the event approach is made by the complainant for early disposal of the appeal, the appeal may be disposed of within a period of six weeks of such request but however involving the parties concerned.
3. The CONTC stands dropped with the observation made hereinabove.

(Biswanath Rath)
Judge