

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.5279 of 2022

M/s. Behera Tent House

....

Petitioner(s)

Mr. A.K. Nath,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr. S.P. Panda,
Additional Govt. Adv. for O.Ps.1 & 2
Mr. P.K. Mohapatra,
Advocate for O.P.3

CORAM:
JUSTICE BISWANATH RATH

ORDER

07.03.2022

Order No.

3. 1. Going through the grounds taken herein and considering the submission of Mr.Nath, learned counsel for Petitioner, this Court doesn't find any right in favour of the Petitioner to occupy the disputed land in question.
2. In filing a counter affidavit in Court today Mr. Mohapatra, learned counsel for the Opposite Party No.3 establishes that the Petitioner has no right over the disputed property in question and there has been eviction of the Petitioner lawfully. It is, at this stage Mr. Nath, learned counsel for Petitioner submits that the Petitioner has already filed an application for taking decision in his favour and therefore, it should be provided with at least a reasonable time for removing the heavy stock lying over the disputed land in question.
3. Considering the submissions made by both the parties and keeping in view the undertaking of the Petitioner to vacate the

disputed land in question, this Court directs, in the event the Petitioner files an application along with an affidavit also with a copy of this order before the Executive Officer, Angul Municipality within a period of seven days hence seeking permission to vacate the disputed land in question within a period of one & half months hence, the Executive Officer shall do well in permitting the Petitioner to clear the disputed land in question within that period.

4. The writ petition stands disposed of.

(Biswanath Rath)
Judge

Ayaskanta Jena

