

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.7143 of 2022

Samir Ranjan Prusty

....

Petitioner(s)

Mr.U.C.Behura, Advocate

-versus-

Estate Officer, Rourkela & Anr.

....

Opp.Party(s)

Mr.U.K.Sahoo, ASC

Mr.Gautam Mishra, Sr. Advocate

CORAM:

JUSTICE BISWANATH RATH

ORDER

04.04.2022

Order No.

1.

1. Memo of appearance and affidavit filed by Mr.Gautam Mishra, learned Senior Advocate in Court today on behalf of the opposite party no.2 is taken on record.

2. Heard learned counsel appearing for the parties. Considering the rival contentions of the parties and after perusal of the orders passed by both the authorities exercising the provision of Public Premises (Eviction of Unauthorized Occupants) Act, 1971, this Court finds for the concurrent finding of fact, there is no scope for interfering in the impugned orders. At this stage of the matter, learned counsel appearing for the petitioner requests this Court for at least accommodating the petitioner for three months since the establishment involving a shop room and the petitioner is to arrange a suitable place for shifting of the shop room. Considering the genuine request and in any case the petitioner is required to vacate the shop premises, this Court disposes of the writ petition with an observation in the event petitioner files an undertaking by way of affidavit before the competent authority within a period of ten days disclosing his intention to vacate the shop room involved at least within a period of three months from today by filing such affidavit, petitioner may be accommodated for at least three months from today.

3. It is at this stage of the matter, learned counsel appearing for the petitioner also makes a submission that the issue of eviction may be kept open as petitioner is ready and willing to deposit the entire arrear and make a request for renewal of licence period. This Court since permitted the petitioner to continue such over the period of three months subject to condition indicated hereinabove, may have an endeavour in the above regard.

(Biswanath Rath)
Judge

Sks

