

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.7299 OF 2022

Jhumalata Pradhan & ors.

....

Petitioners

Mr.P.K.Nayak, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

CORAM:

JUSTICE BISWANATH RATH

ORDER

5.4.2022

Order

No.

1.

1. The Petitioners admit that Petitioner No.1 is a landless person. At the same time, learned counsel for the Petitioners also admits that Petitioner No.1 has no legal right to stay over the land except and unless the land is settled in her favour. There is no scope for settlement of the land in the proceeding undertaken. At the same time, it also reveals, Petitioner No.1 has already a pending suit and the Petitioner is enjoying the status quo order there. For the concurrent finding in the proceeding under the OPP Act involved herein and undisputedly Petitioner No.1 is an Encroacher, this court is not inclined to entertain the Writ Petition but however observes, since the Petitioner No.1 has a suit pending, ultimately the order in

the OPP side shall remain binding by the ultimate outcome in the suit.

2. The Writ Petition stands disposed of accordingly.

(Biswanath Rath)
Judge

M.K.Rout

