

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.8050 Of 2022
(Through hybrid mode)**

Gopal Kumar Panch

....

Petitioner

Ms. S. Mohanty, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. A.K. Sharma, AGA

CORAM: JUSTICE ARINDAM SINHA

**ORDER
06.04.2022**

**Order
No.**

1.

1. Ms. Mohanty, learned advocate appears on behalf of petitioner and submits, impugned is order dated 28th January, 2022 passed by Deputy Administrator (Revenue), Shree Jagannath Temple, Puri. She draws attention to paragraphs 9 and 14 to submit, two grounds were raised, to reject her client's claim to purchase the land. The first ground is that in Civil Suit no.141 of 1999 in the Court of Civil Judge (Jr. Division), Puri, by judgment dated 27th February, 2016, Shree Jagannath Mahaprabhu Bije, Puri was declared to have title and possession of the land. She submits with reference to para-81 that her client preferred appeal against said judgment. She submits further, there is yet another suit, in which her client obtained injunction restraining the temple from disturbing her possession. Against that

order the temple has preferred appeal.

2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State.

3. It is clear that petitioner is seeking to purchase on strength of possession. Ms. Mohanty submits with reference to annexure-8 that on spot enquiry undertaken by the temple, temporary house was found. Same also goes to show the temple and petitioner are having conflicting claims of possession and civil proceedings between them are pending. In the circumstances, the writ Court is not inclined to intervene.

4. In view of aforesaid, there is no necessity for direction to issue notice.

5. The writ petition is disposed of with liberty to petitioner to pursue his remedy before the civil Courts and also avail of other statutory remedy, if available to him.

(Arindam Sinha)
Judge

Sks