

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.8348 of 2022

Manav Kumar Nayak

....

Petitioner(s)

Mr. P.K.Mohanty,
Advocate

-versus-

State of Odisha & Ors.

....

Opp.Party(s)

Mr.S.P.Panda, AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

20.04.2022

Order No.

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1. Heard learned counsel appearing for the parties.

2. This writ petition involves the following prayer:

“It is, therefore prayed that, this Hon’ble Court may graciously be pleased to admit this Writ petition, issue notice to the opp. parties and after hearing from the parties, issue a Writ in the nature of mandamus or any form of writ and direct to the opp. parties to consider the representation of the petitioner under Annexure-7 and also further direct to the opp. parties not to evict the petitioner from his residential land in possession, described in Annexure-1.

And issue any other order/orders, direction/directions, writ/writs as this Hon’ble Court deem fit and proper giving complete justice to the petitioners;

And for this act of kindness the petitioner as in duty bound shall ever pray.

3. Undisputedly the father of the petitioner had already faced proceedings under OPP (E) Act. Petitioner himself has filed such proof through Annexure-4 series. Learned counsel appearing for the petitioner submits that in the meantime the father of the petitioner, Braja Nayak, has died and the proceeding is still pending involving the petitioner.

4. Keeping this in view, this Court finds there is no scope for consideration of representation of the petitioner for settlement or any

decision involving such disputed land. This Court though declines to entertain the writ petition entertaining representation pending, directs the petitioner to have his contest in the OPP.(E) proceeding involved in Annexure-4 series.

(Biswanath Rath)
Judge

Sks

