

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8489 of 2022

M.D. Mobin

....

Petitioner(s)

Mr. A. Mishra,
Advocate

-versus-

The Collector, Mayurbhanj & Ors.

....

Opposite Party(s)

Mr. S. Ghose,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
06.04.2022**

Order No.

01.

1. Petitioner has a serious allegation that pursuant to issuance of notice of eviction in a duly constituted proceeding vide Annexure-2 and even in spite of filing of objection by the Petitioner vide Annexure-3 to such proceeding, in absence of disposal of the proceeding, there is oral threat to evict the Petitioner from the disputed property in question.

2. Considering the allegation made by the learned counsel for Petitioner, this Court observes, in the event the proceeding vide Annexure-2 is still pending, there cannot be any action for eviction unless until the proceeding comes to a logical end. In the process this Court directs, there shall be no eviction of the Petitioner during pendency of the Encroachment Proceeding vide Encroachment Case No.4-206/2021.

3. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

