

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9162 of 2022

Sanjeet Kumar Das & Ors.

.... Petitioner(s)

Mr. S.Ch. Puspalka,
Advocate

-versus-

State of Odisha & Ors.

.... Opposite Party(s)

Mr. S.P. Panda,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
27.04.2022**

Order No.

01.

1. Through Annexure-2 Mr. Puspalka, learned counsel for the Petitioners submitted that in spite of a complaint to the Collector in the matter removal of illegal encroachment, there is no action by the Collector as of now and therefore, a request is made to give a direction to the Collector for the above purpose.

2. Considering the submission of Mr. Puspalka, learned counsel for the Petitioners and for the opinion of this Court that since the proceeding involved is under the provision of the O.P.L.E Act, the Collector being the revisional authority is not competent to handle such issue, the Petitioners are required to make a complaint to the Tahasildar concerned in this regard. It is, at this stage of the matter, considering the request made by Mr. Puspalka, learned counsel for the Petitioners, this Court permits the Petitioners to withdraw this writ petition with liberty to submit a fresh application on the selfsame issue before the Tahasildar concerned.

3. The writ petition is accordingly disposed of as withdrawn, but with liberty as prayed for.

(Biswanath Rath)
Judge

Ayaskanta Jena

