

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.9346 of 2022

Hrudananda Parida

....

Petitioner(s)

Mr.L.Jena,
Advocate

-versus-

B.M.C., BBSR & Ors.

....

Opposite Party(s)

Mr.S.Ghose,
ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
18.04.2022

Order No.

02.

1. Heard the submission of Mr.Lalatendu Jena, learned counsel appearing for the Petitioner.
2. During pendency of a proceeding under Section 91 of the O.D.A. Act, 1982 as appearing at Annexures- 1 & 2 through specific pleading, it is alleged that there has been mike announcement and attempt for eviction of the petitioner from the Plot No.1144. For the opinion of this Court, in the event the proceeding under Section 91 of O.D.A. Act is still pending and the petitioner has been asked to submit show cause by 19.04.2022 as clearly demonstrated through the notice at Page-12 of the brief, there is no possibility of undertaking any exercise of eviction and the same is ultimately to be undertaken following the final outcome in the proceeding at Annexure-1. Since the notice clearly shows that petitioner has been called upon to file show cause on 19.04.2022 and date since yet to expire, this Court in disposal of the writ petition observes, since the proceeding vide Annexure-1 is

still pending, there cannot be any eviction of the petitioner involving the disputed land in question till conclusion of such proceeding.

3. The writ petition stands disposed of accordingly.

(Biswanath Rath)
Judge

S.P. Dash

