

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**CONTC No.1395 of 2020**

***Ajay Badajena***

....

***Petitioner***

Mr. A.N. Swain, Advocate

*-versus-*

***Sitanshu Kumar Rout,  
IAS, Collector, Khurda***

....

***Contemnor/Opp.Party***

Mr. P.K. Mohanty, ASC

**CORAM:**

**JUSTICE JASWANT SINGH**

**JUSTICE M. S. SAHOO**

**ORDER (Oral)**

**01.11.2022**

**Order No.**

**06.**

This matter is taken up through virtual/physical mode.

1. The present contempt has been filed for the alleged disobedience of the order dated 08.11.2019 passed by this Court in W.P.(C) PIL No.19194 of 2019, whereby the Collector, Khurda was directed to take steps for eviction of the unauthorized occupants staying at the embankment of a historical tank/pond situated in Plot No.455 area Ac.0.260 dec., Kissam-Jalasaya-I and Plot No.454, area Ac.0.130 dec., Kissam-Pokhari Adi under GA Deptt. Khata No.619 relating to Mz-Chandrasekharpur.

2. On the previous date of hearing, learned counsel for the Opposite Party has stated that the said area falls within the jurisdiction of the General Administration Department, Bhubaneswar, to whom no such direction was issued. However, to implement the order in true letter and spirit, the Officer and the Tahasildar,

Bhubaneswar under the Bhubaneswar Development Authority has been directed to implement the directions passed by this Court. In such manner the delay was sought to be explained.

**3.** At the time of resumed hearing today, Mr. P.K. Mohanty has placed on record a letter No.30817/CA dated 01.11.2022 addressed by the Government to the Office of the Advocate General, whereby it is stated that upon a drive conducted on 10.06.2022, the eviction team has removed the encroachments and the land in question is now under the occupation of the Government. The directions have also been issued to take necessary action against the erring Revenue officials who had wrongly recorded the said Government land in favour of private persons without any valid document of title. A copy of the letter has been furnished to the learned counsel for the petitioner and also retained on the record of this case.

**4.** In view of the above, the contempt proceedings are liable to be dropped and the CONTC is disposed of.

**(Jaswant Singh)  
Judge**

**(M.S. Sahoo)  
Judge**

AKK

1<sup>st</sup> November, 2022  
Cuttack