

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10790 of 2022

Pratima Das

....

Petitioner(s)

Mr. S.K. Mallick,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S. Ghose,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

12.07.2022

Order No.

01. 1. This writ petition has been filed seeking a direction to the competent authority for considering the case of the Petitioner for settlement of the disputed land in question in her favour.
2. Considering the rival contentions of the parties and on perusal of the materials disclosed, this Court finds, there has been number of encroachment proceedings already initiated against the Petitioner, even upon disposal of such proceeding holding the Petitioner to be an encroacher the Petitioner goes on depositing the penalty imposed on her. In such view of the matter, this Court finds, the application at Annexure-2 cannot be considered as there is no provision for submission of such application in absence of pendency of any proceeding under the OPLE Act. This Court, therefore, declines to issue writ of mandamus or any other alternate direction. It is, however, made clear that if the Petitioner has any other remedy available for settlement of the disputed land in question under any other provision of law, she may avail the same.

3. The writ petition stands disposed of accordingly.

(Biswanath Rath)
Judge

Ayaskanta Jena

