

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C). No.11260 of 2022

Mina Behera

....

Petitioner(s)
Mr.A.C.Mohanty,
Advocate

-versus-

Collector, Puri & Ors.

....

Opp.Party(s)
Mr.S.Ghose, ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
06.05.2022

Order No.

1

1. Heard learned counsel appearing for the parties.
2. Petitioner has a serious allegation that there has been 24 hours eviction notice vide Annexure-1 by the Puri Municipality against the petitioner. Mr.Mohanty, learned counsel appearing for the petitioner alleges that even assuming that the petitioner is an unauthorized encroacher, her right for re-settlement be considered before issuing such notice. Further, it is also argued that there cannot be 24 hours eviction notice and there is clear showing of inhuman attitude by the Municipality involved.
3. Considering the grievance of the petitioner to be a serious one, this Court observes, in the event there is no eviction proceeding involving the petitioner as of now, there is no question of issuing notice involving Annexure-1. In the process, this Court disposes of the writ petition with an observation that in the event the Municipal Authority is desirous of eviction of the petitioner, they shall follow the due procedure of law. Further, if the petitioner is not evicted as on date, she shall not be evicted without following due process of law.

(Biswanath Rath)
Judge

Sks