

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C).No.11698 OF 2022

Narayan Malik

....

Petitioner(s)
Mr.S.N.Mishra-4,
Advocate

-versus-

State of Odisha & Anr.

....

Opposite Party(s)
Mr.U.K.Sahoo, ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
17.05.2022

Order No.

01

1. Having heard learned counsel appearing for the parties, this Court finds petitioner has a statutory remedy of appeal. Whatever grounds taken here also can be agitated and adjudicated by the appellate authority. In the circumstance, this Court finds the writ petition is not entertainable. At this stage of the matter, learned counsel appearing for the petitioner wants liberty to the petitioner to file appeal. This Court though finds there is still time for appeal, considering no sufficient time in preferring appeal, this Court permits the petitioner two weeks time for preferring appeal. For the petitioner bonafidely moving this Court, petitioner may also accompanied an application for condonation of delay with interim application along with the appeal memo. In the event appeal is filed within a period of two weeks hence, delay shall be condoned and appeal will be heard on its own merit. Interlocutory Application shall also be considered and decided at least within a period of three weeks from the date of filing of appeal. For a period of five weeks, status quo as on date involving the disputed property in question shall be maintained by both the side.
2. The writ petition stands disposed of with the observation and direction made hereinabove. .

(Biswanath Rath)
Judge

Sks