

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No. 3267 of 2022

Sanjay Keshari Mohapatra

.....

Petitioner

Mr. H. Mohapatra, Adv.

Vs.

*Kamaljit Das, Ex-Tahasildar,
Nimapara and another*

.....

Opposite Parties

Mr. J.P. Pattnaik, GA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

31.10.2022

Order No.

06.

This matter is taken up through hybrid mode.

2. Heard Mr. H. Mohapatra, learned counsel appearing for the petitioner and Mr. J.P. Pattnaik, learned Government Advocate appearing for the State-opposite parties.

3. The petitioner has filed this contempt petition alleging non-compliance of the orders dated 26.07.2018 and 11.12.2018 passed by this Court in W.P.(C) No.13126 of 2018.

4. Mr. J.P. Pattnaik, learned Government Advocate appearing for the State-opposite parties produced in Court the letter no.5069 dated 31.10.2022 of the Tahasildar, Nimapara, Puri, wherein it has been stated as follows:-

“..... In this regard, I personally visited the suit land of Khata No.679, plot no.89 of Mouza-Bhatabandha and found that one person named Bansidhar Bhoi, S/o- Bata Bhoi has encroached the area of 0.16 of the suit plot. Hence, R.I., Hansapada has directed to ‘G’ form against the encroacher. Perused the ‘G’ form submitted by R.I., Hansapada, the Encroachment Case bearing no.127/2022 has been instituted against the encroachers.”

5. Mr. H. Mohapatra, learned counsel appearing for the petitioner contended that since the eviction notice was issued against 23 persons, by initiating proceeding only against five

persons, the order of this Court cannot be said to have been complied with fully by the opposite parties.

6. Since the opposite parties have already started a process of eviction, at this point of time, this Court does not find any non-compliance of the order. However, opportunity is granted to the opposite parties to comply with the order in full, as per the earlier direction of this Court.

7. The contempt proceeding is hereby dropped.

8. The letter No.5069 dated 31.10.2022 of the Tahasildar, Nimapara, Puri filed by the Government Advocate in Court today be kept on record.

Ashok

(DR. B.R. SARANGI)
JUDGE

