

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11973 of 2022

Mantu Hembram

....

Petitioner(s)

Ms. S.L. Patnaik,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S. Ghose,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
12.05.2022**

Order No.

01. 1. Vetting into the grounds taken in this writ petition, this Court finds, the Petitioner has a statutory remedy of appeal against the impugned order. Since the Petitioner has a statutory remedy of appeal as against the impugned order, this Court permits the Petitioner to withdraw this writ petition with liberty to avail the appeal remedy as against the impugned order U/s.9 of the Odisha Public Premises (Eviction of Unauthorized Occupants) Act, 1972. Since the appeal period is already available, let the Petitioner file appeal agitating all the grounds raised herein at least within a period of seven working days hence. It is also open to the Petitioner to file an application for interim protection.
2. It is further directed that in the event the Petitioner files appeal along with an application for interim protection within the

aforesaid period and in the event the Petitioner has not been evicted from the disputed property in question as yet and is still in occupation of the disputed property in question, he may not be evicted till disposal of the appeal along with the I.A.

3. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

