

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.12951 of 2022

Krishna Kumari Pradhan

....

Petitioner(s)

Mr.D.Mohanty,
Advocate

-versus-

***The Sub-Collector-cum- O.S.D.,
Balliguda & Ors.***

....

Opposite Party(s)

Mr.S.Ghose,
ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
19.05.2022**

Order No.

01. **1.** Heard learned counsel for the Parties.
- 2.** Order at Annexure-7 is challenge on the premises that for the Petitioner dispute involving the self-same property pending in Appeal, the Tahasildar should not proceed in the matter of eviction. Considering strength in the submission of the learned counsel for the Petitioner, this Court observes in the event there is already Appeal under Regulation 2 of 1956 involving self-same property, the Tahasildar should await till disposal of the Appeal being R.M.A. No.2 of 2022 pending before the Additional District Magistrate, Kandhamal, Phulbani.
- 3.** This Court permits the Petitioner to bring to the notice of the Tahasildar indicating the pendency of the Regulation 2 of 1956 proceeding at least within a period of seven days and in the event such application is brought to his notice, the Tahasildar shall not proceed further involving notice at Annexure-7 at least till disposal of R.M.A.

No.02 of 2022 pending before the Additional District Magistrate,
Kandhamal, Phulbani.

4. The Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Swarna

