

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 13193 OF 2022

Rajesh Kumar Ratei @ Rajesh Ratei* *Petitioner

Mr. Susanta Kumar Tripathy, Advocate

-versus-

State of Odisha and others

.... ***Opp. Parties***

Mr. Suvashish Pattnaik,

Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

25.07.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Sub-Collector, Titilagarh-Opposite Party No.3 not to evict him from his dwelling house existing since last 75 years.
3. Mr. Tripathy, learned counsel for the Petitioner submits that grand-father of the Petitioner has constructed a residential house over Government Plot No.2464 under Khata No.859 situated in mouza Titilagarh under Titilagarh Tahasil in the district of Bolangir. A notice under Annexure-2 was issued by the Sub-Collector, Titilagarh on 13th May, 2022 to the Petitioner to vacate the Government quarters failing which he will be evicted on 17th May, 2022. Thus, the Petitioner finding no other alternative has approached this Court in the present writ petition.
4. This Court vide order dated 24th May, 2022 in I.A. No. 6944 of 2022 directed that no coercive action shall be taken against the Petitioner pursuant to the notice issued under Annexure-2. The said interim order is continuing till date.
5. Mr. Tripathy, learned counsel for the Petitioner submits that during subsistence of the interim order, the Petitioner has been evicted forcefully from the land in question. He, therefore,

prays for restoration of his possession over the land in question by filing I.A. No. 9767 of 2022 during pendency of the writ petition.

6. Since the Petitioner has already been evicted from the land/quarters in question, no further relief can be granted in this writ petition. Accordingly, this writ petition is disposed of with an observation that the Petitioner may workout his remedy in accordance with law.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

