

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13594 of 2022

Satyananda Mahanta

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

27.05.2022

Order No

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Petitioner.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“To direct the opposite parties to show cause as to why the eviction notice dtd. 17.05.2022 issued under Form-Kha of the OPLE Act, 1972 shall not be quashed, in the event the Opp. parties fails to file show cause or insufficient cause, the said Rule may be made absolute by quashing Annexure-6 and thereby directing the Opp. Party No.5 to no make any construction over Plot No.1479 and 1480 at Mouza-Fulakanlei under the Champua Tahasil”.

4. Since there is an alternative remedy available to the Petitioner to file an appeal under the OPLE Act before the Opp. Party No.4 for redressal of his grievances, this Court is not inclined to entertain this Writ Petition.
5. However, the Petitioner is permitted to file an appeal along with an interim Application before Opp. Party No.4 within a period of seven days from today.
6. It is observed that if such an appeal along with the

Interim Application is filed by the petitioner before Opp. Party No.4 within the aforesaid time, he /she is directed to take a decision on the same within a period of fifteen days from the date of receipt of the order.

7. Till such a decision is taken by Opp. Party No.4, no coercive action shall be taken against the petitioner pursuant to the notice issued by the Tahasildar, Champua on 17.5.2022 under Annexure-6 to the Writ Petition.

8. The Writ Petition is accordingly disposed of.

Subrat



Biraja Prasanna Satapathy
(Vacation Judge)