

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 14263 OF 2022

Shakuntala Jena

.....

Petitioner

Mr. Sudhansu Sekhar Jena,
Advocate

-versus-

***Secretary, Home Department and
others***

.....

Opp. Parties

Mr. D.K. Pani,
Additional Standing Counsel

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
07.06.2022**

Order No.

1. 1. This matter is taken up through hybrid mode.
2. 2. The Petitioner in this writ petition prays for a direction for implementation of the order dated 9th June, 1997 passed by the Executive Magistrate, Bhubaneswar in CrI. Misc. Case No. 403 of 1995. For similar cause of action, the Petitioner had earlier moved this Court in W.P.(C) No. 9980 of 2019. This Court considering the submissions of learned counsel for the parties disposed of the said writ petition vide order dated 17th July, 2019 with the following order:

“Heard Mr. S.S. Jena, learned counsel for the petitioner and Mr. Behera, learned counsel for the State-opposite parties.

The petitioner was a party in the order involving at Annexure-I, it appears that the petitioner who is opposite party no.1 therein is already protected with the direction not to evict him from the suit land without following due process of law. No indulgence involving the writ is required presently. In the event any other

proceeding is going on, it will be open to the petitioner herein to attend the authority and take his stand there. The writ petition stands disposed of.”

3. Since the impugned order was passed in the year, 1997 and for similar cause of action, this Court has already refused to entertain such prayer in W.P.(C) No.9980 of 2019, I am not inclined to entertain the writ petition, which is accordingly dismissed.

4. However, the Petitioner is at liberty to work out her remedy in accordance with law.

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

(K.R. Mohapatra)
Vacation Judge

bks

