

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14382 of 2022

Sukri Pritam@ Pritam Sukri ...

Petitioner

Mr. S. Rout, Advocate

-Versus -

*The Sub-Collector, Malkangiri and
another*

Opposite Parties

*Mr. S.S. Mohapatra,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

13.06.2022

W.P.(C) No.14382 of 2022

&

I.A. No.7630 of 2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. The Petitioner is aggrieved by the notice of eviction issued in Form-(Kha). This is an appealable order as per the Section 12 of the Orissa Prevention of Land Encroachment Act (OPLE) Act.
3. As to the submission made by learned counsel for the Petitioner that the concerned authorities are attempting to forcibly evict him from the land on the strength of the impugned order, it is noted that as per Section 12(4) of OPLE Act, he can move the Appellate Authority for stay of eviction. Since the prescribed period of limitation has not yet expired, it shall be open to the Petitioner to prefer an appeal before expiry of the period of limitation along with a petition for stay of eviction.

4. In the event, the appeal is filed within the prescribed period, the application for stay shall be considered and disposed of by the Appellate Authority in accordance with law.
5. Till such time, no coercive action shall be taken against the Petitioner.
6. Urgent certified copy of this order be issued as per rules.

(Sashikanta Mishra, J)
Vacation Judge

S. Behera

