

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 14544 of 2022

Sangita Mohanta

....

Petitioner

Mr. S.K. Mishra, Advocate

- Versus -

State of Odisha and Others

.... Opposite Parties

Mr. S.S. Mohapatra, ASC

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

17.06.2022

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner has filed the Writ Petition seeking the following relief:-

"It is therefore, prayed that this Hon'ble Court may graciously be pleased to admit this Writ application issue notice to the Opposite Parties, call for relevant records and after hearing the counsel for parties, the Opposite Parties be commanded to evict the opposite party No.5 from the land appertaining to Plot No. 100 under Khata No.25 in Mouza-Bhandariposi, measuring an area of Ac.0.03 decs having Kisam Rasta, within a time bound period;"

4. It appears that acting on the petition filed by the petitioner the Sub-Collector as well as the Collector time and again instructed the Tahasildar, Jashipur to take a decision to evict the encroacher from the Government land.

It is submitted that because of such encroachment the ingress and egress to the land of the petitioner is being adversely affected. It further appears that the Collector, Mayurbhanj by his letter dated 8.11.2021 directed the Tahasildar, Jashipur to take appropriate action as per law and to submit action taken report but the Tahasildar is yet to take action in the matter.

5. Having regard to the limited prayer of the petitioner and considering the fact that the matter is pending with the Tahasildar, Jashipur to act as directed by his higher authority, the Writ Petition is disposed of directing the Tahasildar, Jashipur (O.P. No-4) to take a decision on the letter of the Collector dated 3.11.2021 within a period of two weeks in accordance with law, if necessary, after giving opportunity of hearing to the petitioner and all concerned.

6. Issue urgent certified copy as per rules.

(Sashikanta Mishra, J)
Vacation Judge