

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.14658 OF 2022

Giridhari Sahoo & anr.

....

Petitioners

Mr.A.Mohanty, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

CORAM:

JUSTICE BISWANATH RATH

ORDER

4.7.2022

Order

No.

2.

1. Heard learned counsel for the Parties.

2. The Writ Petition involves the following prayer :-

“It is, therefore, most humbly prayed that Your Lordship would graciously be pleased to admit this writ petition and issue writ(s)/direction(s) in the nature of certiorari/mandamus directing the O.P.No.2 to 4 to immediately take legal action against the O.P. No.5 for unauthorised encroachment of the Govt. Plot No.266 and take penal action against him and at the same time they may be directed to ensure that no further construction or encroachment is made by the O.P. No.5 over the said govt. Plot No.266 and the constructions already made should be demolished forthwith...”

3. The matter appears to be involving a request for clearing the encroachment at the instance of O.P.5. Perusal of Annexure-4 discloses, there is already a request by the Petitioners to the Tahasildar, Garadpur for undertaking an exercise clearing the encroachment involving O.P.5. Considering that such exercise is required to be taken by the Tahasildar, O.P.4, the matter stands disposed of with direction to O.P.4 to look into the grievance of the

Petitioners, vide Annexure-4, initiate a proceeding under the OPLE Act involving O.P.5 and dispose of the same in terms of the provisions therein by completing the exercise within a period of six months from the date of communication of this order. It is also open to the Tahasildar concerned, in the event there is any necessity of interim direction based on an application, to pass appropriate order. Let a copy of this order along with copy of the Writ Petition be served on O.P.4 within ten days.

M.K.Rout



(Biswanath Rath)
Judge