

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15023 of 2022

Dharanidhar Pradhan

....

Petitioner(s)

Mr. S. Mishra,
Advocate

-versus-

The Collector, Angul & Ors.

....

Opposite Parties

Mr. S. Ghose,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
12.07.2022**

Order No.

04. 1. Since the Petitioner has a statutory remedy of appeal as against the impugned order, this Court is not inclined entertain the claim of the Petitioner involved in this writ petition and all the grounds raised herein can very well be agitated in the appeal and the appellate authority has the responsibility to attain such allegation of the Petitioner. However, considering the request made by the learned counsel for Petitioner, this Court permits the Petitioner to withdraw this writ petition with liberty to file an appeal along with an application for condonation of delay and also with an application for interim protection involving the order passed in disposal of the Encroachment Case No.6/2022-23 before the appellate authority within a period of two weeks hence.
2. It is further directed that in the event the Petitioner files appeal along with an application for condonation of delay and also

with an application for interim protection within the aforesaid period, the delay shall be condoned considering that the Petitioner had bona-fidely approached the Writ Court and the same was entertained by the Vacation Court of the High Court and the appeal shall be heard on its own merit and the interim application to be filed by the Petitioner within the time stipulated hereinabove, shall be decided within a period of three weeks thereafter.

3. It is further directed that in the event the Petitioner has not been evicted from the disputed property in question as yet and is still in possession of the disputed property in question, there shall be maintenance of status quo in respect of the disputed property in question by all the parties concerned for a period of one month.

4. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena