

IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) NO.15551 OF 2022

Niroj Nayak

....

Petitioner

Mr.A.Mishra, Adv.

-versus-

State of Odisha & ors.

....

Opposite Parties

Mr.S.Ghosh, AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
24.6.2022

Order No.

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1. Learned counsel for the Petitioner wants to withdraw the Writ Petition with liberty to file an appeal.

2. In the circumstance, the Writ Petition stands dismissed as withdrawn but however with the liberty as prayed for.

3. Considering the statutory right of the Petitioner to file appeal and as the Petitioner was bona fide moving a Writ Court, this Court observes, in the event the Petitioner files an appeal within two weeks from today along with necessary interlocutory application for interim protection, the appeal shall be heard on its own merit and decided finally giving opportunity of hearing to the Petitioner. Interlocutory application, if any, accompanied to the appeal shall also be considered and decided at least within a period of four weeks. In the event the Petitioner is still in possession of the property, for six weeks, there shall be status quo in respect of the disputed property.

(Biswanath Rath)
Judge

M.K.Rout