

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**W.P.(C) No.15790 of 2022**

***Baidyanath Pothal***

....

***Petitioner(s)***

Mr. A.K. Biswal,  
Advocate

-versus-

***State of Odisha & Ors.***

....

***Opposite Party(s)***

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

**CORAM:**  
**JUSTICE BISWANATH RATH**

**ORDER**  
**05.07.2022**

**Order No.**

01.

1. It is submitted by the learned counsel for Petitioner that during pendency of the proceeding bearing Encroachment Case No.39 of 2022 vide Annexure-4, a show cause is already filed on behalf of the present Petitioner vide Annexure-5. Taking this Court to the specific allegation made in paragraph no.6, learned counsel for the Petitioner alleged that in spite of pendency of the proceeding vide Annexure-4 particularly the Encroachment Case No.39 of 2022, there is threatening of eviction to the Petitioner even before finality of such proceeding.
2. Learned State Counsel is unable to throw light on the allegation of the Petitioner.
3. Considering the allegation made by the Petitioner, this Court observes, in the event the proceeding vide Encroachment Case No.39 of 2022 is still pending, there cannot be any eviction before disposal of the proceeding vide Encroachment Case No.39 of 2022.

4. With the above observation the writ petition stands disposed of.

***(Biswanath Rath)***  
***Judge***

*Ayaskanta Jena*

