

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.16596 of 2022

Sarat Chandra Dugal

....

Petitioner(s)

Mr.P.Sahu,
Advocate

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr. U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

07.07.2022

Order No.

1.

1. Heard learned counsel appearing for the petitioner.

2. It is averred that petitioner has an application for settlement of land at Annexure-8. Learned State Counsel raising doubt refers to document at Annexure-7 and submitted that there has been already disposal of such proceeding.

3. Considering the rival contentions of the parties, this Court finds through Annexure-5 that there is initiation of Encroachment Case No.151 of 1999 and through Annexure-7, there is even disposal of Encroachment Case No.151 of 1999. For the legal provision, for there is no encroachment case pending, application for settlement in absence of any proceeding pending under O.P.L.E. Act cannot be considered. Consequently, this Court dismisses the writ petition but, however, with liberty to the petitioner to find out any other alternate avenue for the purpose of allotment of land and avail the same.

(Biswanath Rath)
Judge