

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.17242 OF 2022

Niharika Bihari

.... ***Petitioner(s)***
Mr.B.P.B.Bahali,
Advocate

-versus-

State of Odisha and others

.... ***Opposite Party(s)***
Mr. S.Mishra,
ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
13.07.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. Taking into account the clear statement of Mr. Bahali, learned counsel for the Petitioner that the proceeding, in Encroachment Case No.09 of 2022-23 vide Annexure-2 is still pending thereby requiring consideration of the request of the Petitioner for settling the land involved therein applied, vide Annexure-3, this Court in disposal of the Writ Petition observes, in the event Encroachment Case No.09 of 2022-23 is still pending adjudication, request vide Annexure-3 may be taken into consideration by passing order, as appropriate, in the same proceeding.
3. It is at this stage of the matter, Mr. Bahali, learned counsel for the Petitioner prayed for protection at least till consideration of the settlement.

4. For the opinion of this Court, once this Court records the statement of the Petitioner that there is pendency of such proceeding, there is no possibility of eviction.

5. The Writ Petition stands disposed of with the observation required to work out provided Encroachment Case No.09 of 2022-23 is pending consideration as of now.

(Biswanath Rath)
Judge

Swarna

