

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.18047 OF 2022

Ranjit Kumar Mahana

....

Petitioner(s)

Mr. A.P.Bose,
Advocate

-versus-

State of Orissa and others

....

Opposite Party(s)

Mr. S.Mishra,
ASC

CORAM:

JUSTICE BISWANATH RATH

ORDER

25.07.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. The Writ Petition involves the allegation through Annexure-3 that involving the eviction notice by the Notified Area Council, Tarava asking the Petitioner to vacate the disputed land indicated therein by 07.12.2021. Through the pleading, it has been brought to the notice that there has been no eviction as of now. Through Annexures-4 & 5, it has been established that based on the notice at Annexure-3, in the first instance, the Petitioner has submitted his explanation vide Annexure-4 and at subsequent stage, Petitioner appears also to have submitted a detailed representation to all concerned including the Executive Officer, NAC Tarava appearing at page-27 even including jurisdictional aspects. From the pleading, this Court finds, Petitioner has a specific averment that he is yet to be evicted however there is no announcement threatening to the Petitioner for his eviction even now and then.
3. Considering the grievance of the Petitioner, this Court finds, to avoid further wastage of time, this Court in disposal of the Writ

Petition observes in the event the proceeding vide Annexure-3 involving Plot No.494, Khata No.434 Tarava town unit-1, Kissam-Gharbari is not concluded as of now by way of eviction of the Petitioner, the proceeding involves herein should also include the objection of the Petitioner at Annexure-4 as well as running page-27 of the brief also including determination of the question of jurisdiction raised by the Petitioner. Let the Petitioner serves a copy of this order on the Executive Officer, NAC, Tarava at least within a period of ten days hence. The dispute be adjudicated in presence of the Petitioner and in terms indicated hereinabove at least within a period of two months from the date of communication of this order by the Petitioner. During this period there shall be status quo in respect of the disputed property.

(Biswanath Rath)
Judge

Swarna

