

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.18227 OF 2022

Niranjan Mallik and others *Petitioner(s)*
Mr.P.K.Kar,
Advocate

-versus-

The Commissioner, Land Records and Settlement, Cuttack and others *Opposite Party(s)*
Mr. U.K.Sahoo,
ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
26.07.2022

Order No.

01. 1. Heard learned counsel for the Parties.
2. Through the Writ Petition it is alleged that involving wrong map preparation showing lesser amount of land, when the Petitioner has more land to his credit, taking advantage of the defective map preparing an illegal attempt to evict the Petitioner from the disputed land is undertaken. Through the averments, it is alleged that there has been no initiation of proceeding by the Tahasildar before undertaking the eviction exercise leaving no scope for the Petitioner even to raise his objection.
3. This Court from the pleading and the documents finds ultimately a R.P. Case No.336 of 2013 is pending necessary correction in the area. Keeping in view the allegation of eviction attempt by public authority without following due process of law, this Court observes that there should not be eviction of the Petitioner without following due process of law.

4. Further in the event, the Petitioner files a memo for admission of the R.P. Case No. 336 of 2013 within a period of further one week, the competent authority shall do well in undertaking the exercise of admission at least within a period of one week of such attempt.
5. The Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Swarna

