

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.18289 OF 2022

Ajay Kumar Mohapatra

....

Petitioner(s)

Miss. S.L.Patnaik,
Advocate

-versus-

State of Odisha and others

....

Opposite Party(s)

Mr.S.P.Panda,
AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
04.08.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. Petitioner has a serious allegation involving notice at Annexure-1 that on the basis of notice under Section 4 of the Orissa Public Premises (Eviction of Unauthorised Occupants) Act, 1972 repeated threatening of eviction of the Petitioner. Learned Counsel for the Petitioner submits that the Petitioner is yet to be involved in duly constituted proceeding and decision in such matter should be taken after giving opportunity of hearing to such Party likely to be affected.
3. Learned State Counsel submits that there cannot be eviction without following due process of law.
4. Considering the grievance of taking decision/ action for eviction without following due process of law, this Court in disposing of the Writ Petition observes unless the Petitioner is involved in duly constituted proceeding and lawful decision is taken by the competent authority, he should not be evicted.

(Biswanath Rath)
Judge