

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.18711 of 2022

Sitakanta Nayak

....

Petitioner(s)

Mr.S.K.Das-2, Advocate.

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
02.08.2022**

**Order
No.**

1.

1. Heard learned counsel appearing for the parties.

2. This writ petition involves the following prayer:

“Under the above facts and circumstances this Hon’ble court may graciously be pleased to issue Rule NISI calling upon the opposite parties, more particularly the Opposite Parties No.2, 4, 5, 6, 9 & 10 to show cause as to why the encroacher, the Opposite Party No.11 shall not be evicted from the land/premises of Pranatanth Boys High School, Jatani vide Khata No.210, Plot No.133, area Ac.5.720 dec, Plot No.159, area Ac.4.405 dec, Plot No.138, area Ac.4.225 dec, Plot No.135, area of Ac.36.390 dec in Mouza Ramachandrapur under Jatani Tahasil in the district of Khurda as they are illegally/forcefully encroached the School land and performing the Jatani Ganesh Mahotsava, 2022 function unauthorized and if they fail to show cause or show insufficient cause then this said rule may be made absolute against the opposite parties by using a writ of mandamus directing the opposite parties No.2, 4, 5,6,9 & 10 to evict the opposite party No.11 (President Kalinga Yuva Parishad) forthwith within a stipulated period.

And further be pleased to pass any other order/orders as this Hon’ble Court may deem just and proper in the eye of law.

And for this act of kindness the petitioner shall as in duty bound ever pray.”

3. On the self same issue, it appears, petitioner has already a pending grievance vide Annexure-3 series before the Collector, Khurda-opposite party no.2. In view of the above, this Court in disposal of the writ petition directs the Collector, Khurda-opposite party no.2 to consider the grievance of the petitioner vide Annexure-3 series involving the petitioner and party likely to be affected and take lawful decision by completing the entire exercise within a period of two months from the date of communication of

certified copy of this order by the petitioner. In the meantime, if construction involved herein has not commenced, that may be awaited till the decision of the Collector.

sks

(Biswanath Rath)
Judge

