

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18875 of 2022

Md. Muna

....

Petitioner(s)

Mr. S.Pr. Mishra,
Advocate

-versus-

NHAI, New Delhi & Ors.

....

Opposite Party(s)

Mr. S.P. Panda,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
28.07.2022**

Order No.

01.

1. Learned counsel for the Petitioner submits that the Petitioner had purchased a plot under Khata No.71/612 in mouza-Jamunanaki of an area Ac.0.020 decimals vide RSD No.389/98 dated 05.06.2007. He further submits that although the petitioner has been in possession over the land by putting up the structures over there for so many years, now threats from the side of the Authorities are coming as to his eviction and demolition for the structure standing thereon.
2. Learned counsel for the State submits that if the petitioner is the lawful owner in possession of the land as aforesaid, his possession would stand protected.
3. Considering the submission made and on going through the averments taken in the petition as also the documents annexed thereto; this writ application stands disposed of with an observation that if the petitioner is the rightful owner in possession of the above described land; he shall not be evicted therefrom.

4. It is, however, made clear that this order shall not stand on the way of the Authority in taking action for eviction of the petitioner from any such land in excess of land of which he is in possession as its lawful owner.

(Biswanath Rath)
Judge

Ayaskanta Jena

