

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 19626 of 2022

Prasana Kumar Das

.....

Petitioner

Mr. D.P.S. Mallick, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr.A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

22.08.2022

Order No.

01.

This matter is taken up through hybrid mode.

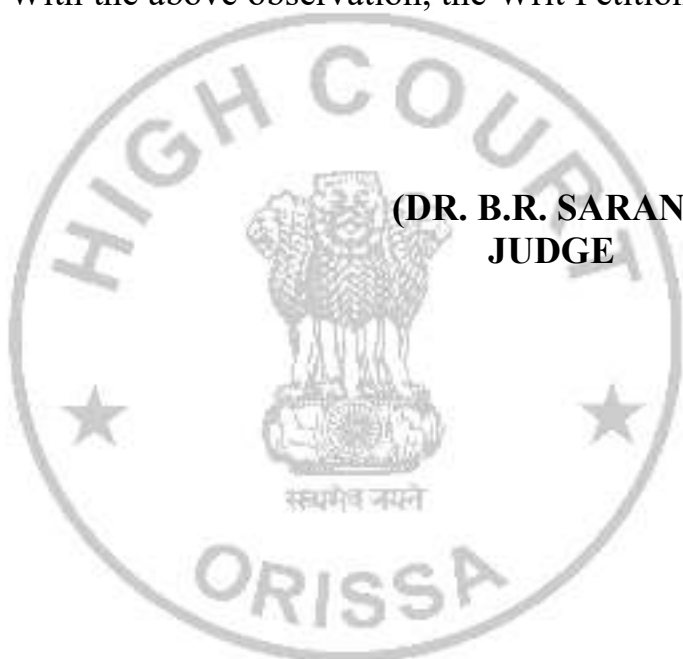
2. Heard Mr. D.P.S. Mallick, learned Counsel for the Petitioner and Mr. A.K. Mishra, learned Additional Government Advocate for the State.
3. The Petitioner has filed this Writ Petition seeking direction to the Opposite Parties not to evict him from his place of livelihood- “Hotel Shradhanjali” without following due process of law.
4. Mr. Mallick, learned Counsel for the Petitioner contended that admittedly the Petitioner is in unauthorized possession of the Government land, wherein he is carrying on his business by setting up a hotel. He has already received license from the B.M.C. as well as taken electricity connection to the said premises. Therefore, if at all any step has to be taken for eviction, that should have been taken by following due process of law.
5. Mr. A.K. Mishra, learned Additional Government Advocate contended that since the Petitioner is in authorized occupation of the Government land, any action which is going to be taken by the

opposite parties for his eviction, that should be taken in consonance with the provisions of law.

6. Having heard learned counsel for the parties and after going through the record, it is admitted fact that the petitioner is in unauthorized occupation of the Government land. Even if he has taken license from the B.M.C. and electricity connection from the electricity department, that *if so facto* cannot give any right to the Petitioner to continue in the said land. However, if at all any step is going to be taken by the opposite parties for eviction of the petitioner, the same should be taken in consonance with law.

7. With the above observation, the Writ Petition stands disposed of.

Arun



(DR. B.R. SARANGI)
JUDGE