

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 20522 of 2022

*Dhaneswar Pradhan and
others*

.....

Petitioners

Ms. B. Dash, Advocate

State of Odisha and others

Vs.

.....

Opposite Parties

Mr. D. Nayak, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

22.08.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Ms. B. Dash, learned Counsel for the Petitioner and Mr. D. Nayak, learned Additional Government Advocate for the State.

3. The Petitioners have filed this Writ Petition seeking to quash the notice dated 22.07.2022 under Annexure-3 and to direct Opposite Party No.3 to settle the land in their favour as they are the landless persons.

4. Ms. B. Dash, learned Counsel for the Petitioners contended that the Notice under Annexure-1 was issued for eviction of the Petitioners showing them as unauthorized occupants. Pursuant to such notice, they have filed the objection. But on the very same date the notice under Annexure-3 was passed for their eviction.

5. Mr. D. Nayak, learned Additional Government Advocate contended that against the order of eviction, though the Petitioners have the right to approach the Appellate Authority under Section - 12 (2) of the OPLE Act, but they have directly approached this Court. Therefore, the Writ Petition is not maintainable.

6. Having heard learned Counsel for the parties and after going through the record, since the Petitioners have approached this Court directly instead of approaching the appropriate forum, this Court is not inclined to entertain the Writ Petition. However, the Petitioners are at liberty to pursue their remedy before the appropriate forum, if they are so advised.

7. The Writ Petition is accordingly disposed of.

Arun

(DR. B.R. SARANGI)
JUDGE

