

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.27056 OF 2020

Sujit Debanath

....

Petitioner

Mr.P.K.Kar, Adv.

-versus-

Tahasildar, Mahakalapada

....

Opposite Party(s)

Mr.R.P.Mohapatra, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
25.3.2022**

**Order
No.**

2.

1. Heard learned counsel for the Parties.
2. This Writ Petition was filed in 2020. Bringing through Annexure-1, it is claimed, on initiation of an OPLE Proceeding by way of Annexure-2, Petitioner appears to have requested for settlement of land involved. While objecting initiation of the Encroachment Proceeding bearing E.C. No.6331/2018-19, the Petitioner also requested, vide Annexure-3 for settlement of the land. There is no information from the side of the Petitioner as to finality of the Encroachment Proceeding and even if any decision taken involving Annexure-2 and/or Annexure-3 in the meantime.
3. Considering the Writ Petition was filed in October, 2020 and taken up for admission in March, 2022, this Court observes, in the

event the Encroachment Proceeding bearing E.C. No.6331/2018-19 is still pending and the Applications, vide Annexure-2 & 3 are filed in the pendency of such Proceeding, while finding the OPLE Proceeding involved, the Authority may consider the request of the Petitioner and pass order, as appropriate. It is clarified that this Court has not expressed any opinion on either side and an independent decision has to be taken.

4. The Writ Petition stands disposed of with the above observation.

5. A free copy of this order be supplied to the learned State Counsel.

M.K.Rout

