

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23598 of 2022

Ajaya Kumar Maharana

.....

Petitioner

Ms. Mamata Mishra, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

14.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Ms. Mamata Mishra, 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 to quash the notice issued in Encroachment Case No. 65/2022-23 under Annexure-12.
4. Ms. Mishra, learned counsel for the petitioner contended that the petitioner had earlier approached this Court by filing W.P.(C) No. 5581 of 2022, which has been disposed of on 22.04.2022, wherein the petitioner was given liberty to approach the Land Acquisition Officer by filing a grievance petition along with the certified copy of the order through Registered Post within a period of two weeks and in the event such petition is received, the said authority shall take a decision on the same in accordance with law within a period of eight weeks from the date of receipt of such petition. It is contended that the order of this Court has not been complied. But when the matter is pending, the present notice for

eviction has been passed. It is further contended that since the petitioner has not filed any objection before that authority, he wants to file such objection and the authority may be directed to consider the same and pass appropriate order.

5. Mr. A.K. Mishra, learned Additional Government Advocate for the State contended that against notice, the petitioner has approached this court instead of filing any objection. If the petitioner files any objection to the notice, the authority concerned shall consider the same and pass appropriate order in accordance with law.

6. Having heard learned counsel for the parties and after going through the record, this writ petition disposed of permitting the petitioner to file objection to the notice issued under Annexure-12 before the Tahasildar, Jajpur and if any such objection is filed, the same shall be considered and disposed of in accordance with law.

7. With the above observation, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

Arun