

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.23756 OF 2022

Trayesh Construction Pvt. Ltld., Angul

Petitioner

Mr.L.Mishra, Adv.

-versus-

State of Odisha & ors.

.... Opposite Party(s)

Mr.S.Mishra, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
14.9.2022**

Order No.

01. 1. Heard learned counsel for the Parties.
2. Undisputedly, the Petitioner already involved in a civil dispute involving C.S. No.779/2021. The Records disclose that considering I.A. No.1/2021, the trial court in its order dated 5.10.2021 has protected the interest of the present Petitioner, who was appearing there, by way of a direction directing the O.Ps. not to take forcible possession of the suit schedule property without following due procedure of law till final disposal of the suit.
3. In filing the present Writ Petition, Mr.Mishra, learned counsel for the Petitioner submits that in spite of a prohibitory order, O.Ps.4 & 5 herein are undertaking an exercise in connivance with the local police in taking over possession of the property involved

therein. In the circumstance, this Court finds, the Writ Court has no jurisdiction to entertain such request except leaving the Petitioner to take appropriate steps in the pending suit to protect its further interest involved herein even including the action of Police, if any. The grounds raised herein may also be kept open for consideration by the trial court.

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

M.K.Rout



(Biswanath Rath)
Judge