

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 24356 of 2022

Samir Mohanty

.....

Petitioner

Mr. B.R. Behera, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. S.N. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

20.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. B.R. Behera, learned counsel for the petitioner and Mr. S.N. Nayak, learned Additional Standing Counsel for the State.

3. The Petitioner has filed this writ petition seeking to direct the Additional Tahasildar, Darpan Opposite Party No.2 to furnish the certified copy of the entire order sheet including final order, if any and all notices/ record copy in Encroachment Case No. 4-728/2022 forthwith as reflected in Copy Application dated 30.08.2022 in Annexure-2 so as to enable him to prefer appeal before the Sub-Collector, Jajpur, Opposite Party No.3.

4. Learned counsel for the petitioner contended that notice has been issued for eviction of the petitioner within a period of thirty days and in the meantime twenty days have already been elapsed. Thereby, the petitioner's right to appeal will be jeopardized unless the certified copy is provided to him.

5. Mr. S.N. Nayak, learned Additional Standing Counsel for the State contended that as per the Copy Application filed in Annexure-4, steps will be taken by the opposite party no.2 so as to provide him the certified copy so that the petitioner can approach the appellate authority as per the provisions of the statute.

6. Having heard learned counsel for the parties and after going through the records, since the limited grievance is made by the petitioner that certified copy of the entire order sheet including final order, if any and all notices/ record copy in Encroachment Case No. 4-728/2022 as reflected in

the Copy Application dated 30.08.2022 under Annexure-2 has not been provided to him, let the same be provided to the petitioner as expeditiously as possible, preferably within a period of ten days hence, so as to enable him to prefer appeal.

7. The writ petition is accordingly disposed of.

Arun

(DR. B.R. SARANGI, J.)

