

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 26223 of 2022

Maitiani Nayak and others

.....

Petitioners

Mr. S.R. Das, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

12.10.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. S.R. Das, learned counsel for the petitioners and Mr. A.K. Mishra, learned Additional Government Advocate for the State.

3. The sole contention of learned counsel for the petitioners is that against a dead person, the eviction proceeding has been initiated by the Tahasildar Baramba vide Encroachment Case No. 17/2021-22.

4. Mr. A.K. Mishra, learned Additional Government Advocate for the State contended that if the encroacher has already died, in that event the petitioners are to bring the same to the notice of the Tahasildar so that he can do the needful.

5. Having heard learned counsel for the parties and after going through the record, without expressing any opinion on the merits of the case, this writ petition stands disposed of permitting the petitioners to bring the notice of the Tahasildar regarding the death of the encroacher, so that steps in accordance with law shall be taken.

Arun

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