

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.34227 of 2021

Binata Sethy

.....

Petitioner(s)

Mr.S.P.Dash, Advocate

- Versus-

State of Odisha & Ors.

.....

Opposite parties

Mr.S.P.Panda, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
10.01.2022**

Order No.
02

1. This matter is taken up through Video Conferencing mode.
2. Heard learned counsel appearing for the parties.
3. There is a serious allegation that in spite of an encroachment proceeding being decided against the private opposite party, the Tahasildar is sitting over the matter and not looking to the ultimate eviction of the opposite party involved herein. It is also alleged that in spite of a complaint being made on this aspect to the Collector & District Magistrate, Mayurbhanj vide Annexure-6, there is also no outcome. Keeping the submission in view, this Court in disposal of the writ petition observes in the event the Encroachment Proceeding No.105 of 2021 has come to an end by the Tahasildar, Thakurmunda-opposite party no.4 there should be a logical end to such proceeding. Accordingly, this Court in disposal of the writ petition observes in the event there is no impediment by way of stay of order involving encroachment Case No.105 of 2021, the Tahasildar-opposite party no.4 shall do well in interfering in eviction of unauthorized encroacher by completing the

entire exercise within a period of six months from the date of communication of this order but, however, involving the parties likely to be affected.

4. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 & 515 dated 7th January, 2022.

Sks



(BISWANATH RATH)
JUDGE