

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 29630 of 2022
(Through hybrid mode)

Santanu Kumar Sarkar

....

Petitioner

Mr. K.K. Jena, Advocate

-versus-

Sri Sri Baladev Jew Mahaprabhu
Bije Nijgoan and others

....

Opposite Parties

Mr. A.K. Sharma, AGA

CORAM:

JUSTICE ARINDAM SINHA
JUSTICE SANJAY KUMAR MISHRA

ORDER
30.11.2022

Order No.

1.

1. Mr. Jena, learned advocate appears on behalf of petitioner and submits, his client filed civil suit, in which the Collector is defendant no.3. His client made application under order XXXIX rules 1 and 2 (Code of Civil Procedure) for interim protection. He draws attention to order no.11 dated 15th July, 2022, wherein stands recorded that the Collector had filed petition praying for time to file show cause to the application. However, in the meantime the Collector has directed the Tahsildar to evict his client.

2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and submits, steps were duly taken since prior to 15th July, 2022. Mr. Jena disputes the submission.

3. The Collector, as defendant, has participated in the suit by praying for adjournment to file show cause to the interim application. This was as on 15th July, 2022. State, through its functionaries, are restrained from taking steps, against petitioner/plaintiff, further to those taken prior to 15th July, 2022, during pendency of the interim application before said Court. State has liberty to press for early hearing of the application, on filing the show cause.

4. The writ petition is disposed of.

(Arindam Sinha)
Judge

(S.K. Mishra)
Judge

Sks