

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.36559 OF 2021

Chaitanya Charan Sahoo & ors.

....

Petitioners

Mr.S.K.Mishra, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.R.P.Mohapatra, AGA

Mr.P.K.Mishra, Adv. for Intervenor/O.P.5

CORAM:

JUSTICE BISWANATH RATH

Order
No.

4.

ORDER
25.3.2022

1. Heard Mr.S.K.Mishra, learned counsel for the Petitioners, Mr.R.P.Mohapatra, learned Additional Government Advocate for the State and Mr.P.K.Mishra, learned counsel for the Intervenor-Complainant involving clearing up the encroachment involving from the very same land.

2. This case has a checkered career. In the first round of litigation, this Court in disposal of W.P.(C) No.7743 of 2018, vide Annexure-2 involving the Petitioners, as O.Ps. and intervenor, as Petitioner directed the Tahasildar, Sukinda to dispose of the representations of the Petitioners required to be filed by the Petitioners within a period of three months however giving opportunity to the Parties likely to be affected (O.Ps.4 to 9 therein, the Petitioners herein). Records further reveal, there has been

disposal of representations by initiation of an encroachment proceeding in the involvement of the Petitioners and since the disposal of the OPLE Proceeding went against the present Petitioners, present Petitioners filed individual Writ Petitions appearing to be disposed of involving Pages-24-31 of the Brief under Annexure-3 series. All the Writ Petitions appear to be withdrawn with liberty to the Petitioner to approach the alternate forum. Undisputedly, a set of Appeals being filed before the Sub-Collector, Jajpur by these Petitioners appears to have been also disposed of, vide Annexure-4 series with an order of dismissal. It is at this point of time, this Court finds, the present Writ Petition has been brought to this Court.

3. During course of submission, learned counsel for the Petitioners makes a fair statement that Revisions, as appropriate, involving all such orders are pending.

4. In the circumstance, this Court finds, the Writ Petition is not entertainable at this stage of matter and the same stands dismissed. Objection raised by Mr.Mishra for O.P.5 kept open to be considered by the Revisional Authority in the event any such Revision is still pending.

5. The Writ Petition thus stands dismissed.

(Biswanath Rath)
Judge