

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 32074 of 2022

Rabindra Behera

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Petitioner

Mr. P.K. Swain, Adv.

Vs.

Tahasildar, Kantapada and Ors.

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

08.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. P.K. Swain, learned counsel for the petitioner and Mr. A.K. Mishra, learned Addl. Government Advocate appearing for the State-opposite parties.

3. The limited grievance of the petitioner before this Court is that opposite party no.3 has not taken up Encroachment Appeal No.20 of 2022. As such, though the petitioner has filed interlocutory application for grant of interim protection, but the same was not adjudicated.

4. Mr. A.K. Mishra, learned Addl. Government Advocate appearing for the State-opposite parties contended that if Encroachment Appeal No.20 of 2022 is still pending, direction may be given to the opposite party no.3 to consider the same along with interlocutory application filed by the petitioner in accordance with law.

5. Having heard learned counsel for the parties and after going through the records, since the petitioner has made limited nature of grievance for taking up Encroachment Appeal No.20 of 2022 along with interlocutory application for grant of interim protection, opposite party no.3 is directed to do well to take up the matter and pass appropriate order by affording opportunity of hearing to the petitioner in accordance with law.

6. The writ petition is accordingly disposed of.

Ashok

(DR. B.R. SARANGI)
JUDGE