

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C).No.41192 of 2021

Gadadhar Sahoo.

....

Petitioner(s)

Mr.A.Pattanaik, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr.R.P.Mohapatra, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
31.01.2022**

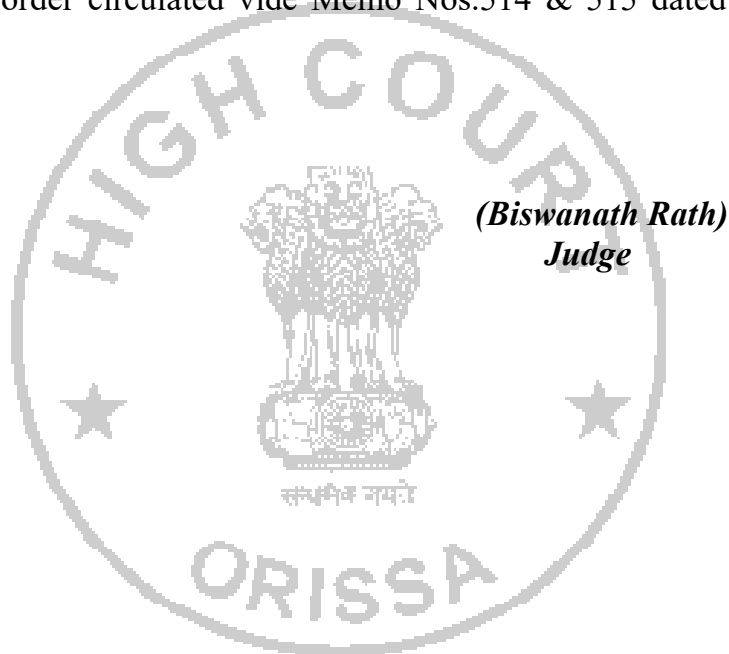
Order No.

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1. This matter is taken up through Video Conferencing Mode.
2. Heard learned counsel appearing for the parties.
3. By filing the writ petition, it is alleged that pursuant to compliance of direction of this Court in W.P.(C).No.5388 of 2018, the Collector-cum- District Magistrate undertaken a case proceeding vide M.C. Misc. Case No. 22 of 2018 and in disposal of the same on 2.11.2018, the Collector has already given direction to the Tahasildar, Dhamnagar for eviction of the encroachers. It is further alleged that in spite of such direction being passed in 2018, the Tahasildar, Dhamnagar is sitting over the matter and a direction is sought for from this Court to the Tahasildar for giving effect to the direction of the Collector under Annexure-3.
4. Mr. Mohapatra, learned Additional Government Advocate for the State however submits that the matter being taken up for at the state of admission, he is only to say as to any further proceeding is pending involving such order or not.
5. Keeping in view the rival contentions of learned counsel appearing for the parties, this Court in disposal of the writ petition observes in the event there is no legal impediment in implementing the order of the Collector vide Annexure-3, the direction contained therein

should be worked out by the Tahasildar, Dhamnagar-opposite party no.3 at least within a period of three months from the date of communication of an authenticated copy of this order by the petitioner but, however, involving the parties likely to be affected.

6. 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