IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 29855 of 2025

Prabhat Kumar Champati ..... ***Petitioner(s)***

Mr. Sasanka Sekhar Pikray, Adv.

-Versus-

State of Odisha & Ors. ..... ***Opposite Party (s)***

Mr. Rajdeep Pradhan, ASC

CORAM:
DR. JUSTICE SANJEEB K PANIGRAHI

ORDER
24.10.2025

Order No.

01.

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the parties.
3. In filing this Writ Petition, the Petitioner being an encroacher, has challenged the eviction notice dated 26.09.2025 under Annexure-3 issued by the Opposite Party No.3/Tahasildar, Begunia.
4. During the course of hearing, learned counsel for the State submits that there is a clear statutory remedy of appeal available under Section 12(1) of the O.P.L.E. Act against the impugned notice under Annexure-3. Hence, the Petitioner should approach the appropriate Appellate Authority.
5. In such view of the matter, this Court is not inclined to entertain the prayer made in this Writ Petition. However,

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considering the request of the learned counsel for the Petitioner, this Court permits the Petitioner to file an appeal along with a petition for condonation of delay, if any, so also a petition for interim protection before the appropriate Appellate Authority as per Section 12(1) of the O.P.L.E. Act, within a period of 15 working days hence. In such event, the Appellate Authority shall conclude the hearing within a period of three months from the date of filing of the appeal.

6. It is further directed that till the interim application to be filed by the Petitioner is taken up, no coercive action shall be taken against the Petitioner pursuant to the impugned notice under Annexure-3 issued by the Opposite Party No.3/Tahasildar, Begunia.

7. This Writ Petition is, accordingly, disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Murmu

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