IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.14976 of 2026

CNR No.ODHC010345142026

Bhuban Bhusan Nayak & Others …. ***Petitioners***

Mr. S. K. Parida, Advocate

-Versus-

State of Odisha & Others …. ***Opp. Parties***

Mr. D. Tripathy, AGA

CORAM:
HON'BLE THE CHIEF JUSTICE
AND
HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER
31.10.2026

Order No.

01. **1.** Heard learned counsel for the Parties.

2. The grievance raised in the present writ petition is with regard to alleged encroachment over Government land comprising Khata No.638, Plot No.806 (Kissam Rasta) of village Kalaspur under Aul Tahasil in the district of Kendrapara, resulting in obstruction to the proper use of the village road and execution of road construction work under MGNREGS. The Petitioners have also raised a grievance with regard to demarcation of Plot No.2347 and adjoining Government land connecting Chhamua to Nabagraha Temple. It is contended that despite repeated representations submitted before the Revenue authorities, no effective steps were taken to remove the alleged encroachments and restore the public road.

3. Learned AGA has produced the status report submitted by the Tahasildar, Aul, vide Letter No.9271 dated 30.10.2026, which is taken on record. From the said report, it appears that pursuant to the

representations made by the villagers, demarcation of Khata No.638, Plot No.806 was completed on 06.01.2026 and a report, along with the relevant G-Forms, was submitted before the Tahasildar. On the basis of such demarcation report, Encroachment Miscellaneous Cases bearing Case Nos.543/25-26 to 568/25-26 were instituted against the persons identified as encroachers. It is further stated that show-cause notices in Form-Ka, followed by eviction notices in Form-Kha, were issued to the persons concerned, directing them to remove the encroachments and vacate the land.

4. However, the Tahasildar has stated that the scheduled eviction could not be carried out in view of the order dated 10.04.2026 passed by this Court in W.P.(C) No.10835 of 2026, wherein the Petitioners therein, who had challenged the eviction notices, were granted liberty to approach the appellate forum, with a direction that they shall not be evicted from the case land during the period stipulated therein or till filing of the appeal, whichever is earlier. The Tahasildar has accordingly stated that the matter is presently sub judice and that further lawful action shall be taken in accordance with law.

5. In view of the steps already taken by the Revenue authorities towards initiation of encroachment proceedings and the subsequent developments noticed above, no further direction is considered necessary to be issued in the present writ petition.

6. It is, however, clarified that the order dated 10.04.2026 passed in W.P.(C) No.10835 of 2026 shall operate in terms of its own directions and shall not be construed as an indefinite restraint on the statutory authorities from proceeding against unauthorised

encroachments. The competent authority shall be at liberty to proceed further in accordance with law, subject to any subsisting order of protection passed by the competent Court or appellate authority.

7. The writ petition, accordingly, stands disposed of.

(Harish Tandon)
Chief Justice

(Chittaranjan Dash)
Judge

AK Pradhan/Sarbani

Signature Not Verified
Digitally Signed
Signed by: ANANTA KUMAR PRADHAN
Designation: Senior Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 02-Nov-2026 17:06:45