IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1524 of 2026
CNR No.ODHC010648582026

Dinesh Kumar Parida .... ***Petitioner(s)***

Mr. Anup Uday Senapati, Advocate

-versus-

State of Odisha and others .... ***Opposite Party (s)***

Mr. Tej Kumar, ASC

CORAM:
THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER

Order No. **04.11.2026**

03. **1.** The petitioner, by invoking the jurisdiction of this Court under Article 227 of the Constitution of India is seeking the following relief:

> *"It is, therefore, most humbly prayed that this Hon'ble Court may graciously be pleased to direct the opp. party No. 3 not to create any disturbances over the schedule property of the petitioner without having any authority or instruction from the higher officials and further be pleased to direct to the opp. party No. 2 to take necessary steps to protect the fundamental rights of the petitioner to enjoy the property owned by him.*

And pass any other order/orders as would be deem fit and proper as facts and circumstances of the case.

And for the said act of kindness, the petitioner shall as in duty bound ever pray."

2. Vide order dated 08.10.2026, this Court directed learned counsel for the State to obtain instruction in the present case. Pursuant thereto, the IIC, Chandaka Police Station has placed on record the report dated 14.10.2026, inter alia, stating as under:

"xxxxxx They further alleged that Sri Dinesh Kumar Parida had submitted a written application stating Government demarcation of the land and had referred to an order of the DCP Court. However, according to the informants, the allegations made therein were subsequently found to be false during enquiry. Thereafter, an order for Government demarcation of the disputed land was issued by the office of the Bhubaneswar Tahsildar. Despite the said Government demarcation order, Sri Dinesh Kumar Parida is allegedly attempting to carry out unauthorized construction, including construction of a boundary wall around the disputed land in violation of the applicable rules and without awaiting official demarcation by the competent authority. The informants therefore approached the Police Station and submitted the written report requesting that, until the land is officially measured/ demarcated by the competent Government authority, the above-named persons may be restrained from entering upon the disputed land or undertaking any construction thereon. In this connection Chandaka PS GD no. 07 dtd. 12.08.2026 has been entered and both

parties are warned to avoid breach of peace and obey the orders passed by Tahsildar, Bhubaneswar. The GD entered in the connection is annexed herewith as ANNEXTURE- 4. This is for favor of kind information."

3. It appears that the dispute is civil in nature. Since an efficacious alternative remedy by way of filing a complaint under Section 200 of the Cr.P.C. (corresponding to Section 223 of the B.N.S.S.) or seeking an appropriate remedy under Section 156(3) of the Cr.P.C. (corresponding to Section 175(3) of the B.N.S.S.) is available to the petitioner, he is at liberty to avail himself of the remedies under the law.

4. With this observation, the CRLMP is disposed of.

(S.S. Mishra)
Judge

Subhasis

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Signed by: SUBHASIS MOHANTY
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 04-Nov-2026 19:48:38