IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.38579 of 2026
(CNR No. ODHC010896352026)

Kartika Mohananda …. **Petitioner**
Mr. R.K. Patnaik, Advocate

-Versus-

State of Odisha & others …. **Opposite Parties**
Mr. S.B. Panda, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
25.11.2026

Order No.

01. 1. Heard learned counsel for the respective parties.

2. Instant writ petition is filed by the petitioner challenging the impugned order as at Annexure-9 passed in connection with Encroachment Case No.151 of 2026 on the grounds stated.

3. The submission of Mr. Patnaik, learned counsel for the petitioner is that in spite of the eviction notice and show-cause reply filed and thereafter, the appeal as per Annexure-2, it has been followed by the impugned order dated 18th August, 2026 i.e. Annexure-9, which is under challenge.

4. Recorded the submission of Mr. Panda, learned AGA for the State.

5. Perused the Court's order as at Annexure-7, consequent upon which, opposite party No.4 passed the order dated 18th August, 2026 at Annexure-9. It is revealed from the record that the petitioner has filed an appeal against the impugned order as

at Annexure-1 followed by Annexure-9. In any case, since there is an order vide Annexure-9 and it has been pursuant to the direction in W.P.(C) No.11620 of 2026 at Annexure-7, this Court is inclined to grant liberty to the petitioner to file an appeal for its disposal notwithstanding filling of Encroachment Appeal No.47 of 2026, which could be said to have become infructuous having been challenged against the original order i.e. Annexure-1.

6. Accordingly, it is ordered.

7. In the result, the writ petition stands disposed of with the liberty allowed in favour of the petitioner to file an appeal against the impugned order as at Annexure-9 for consideration and its disposal by opposite party No.3. It is further directed that upon filing such an appeal within three weeks from today, opposite party No.3 shall entertain it and ensure disposal of the same in accordance with law. It is also directed that till such time appeal is filed with any interim orders passed therein within above stipulated period by the authority concerned, status quo shall be maintained in respect of the case land vis-à-vis the petitioner.

8. Issue urgent certified copy of this order as per rules and in course of the day.

(R.K. Pattanaik)
Judge

Signature Not Verified
Digitally Signed
Signed by: ALOK RANJAN SETHY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 25-Nov-2026 19:01:20

Alok