



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3509 OF 2026

Ranjan Kumar Mahapatra ***Petitioner***

Mr. Kishore Ch. Rajguru Mohapatra, Advocate

-versus-

State of Odisha and others ***Opp. Parties***

Mr. S.N. Biswal, ASC

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

20.02.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Let a copy of the writ petition be served on Mr. Lalit Kumar Moharana, learned counsel for the Commissioner of Endowments by 23.02.2026.
3. Put up this matter on 13th March 2026 indicating the name of Mr. Moharana in the cause list.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

I.A. No. 1669 of 2026

02. 1. This is an application for stay of further proceeding pursuant to the impugned order under Annexur-1 and the notice under Annexure- 9 till the next date.
2. It is submitted by Mr. Rajguru Mohapatra, learned counsel for the petitioner that although the land in question belongs to the deity, namely, Sri Damuni Thakurani Bije, At/P.O. Rajsunakhala in



the district of Nayagarh and an order under section 25 of the Odisha Hindu Religious Endowments Act, 1951 (for brevity, “the Act, 1951”) has been passed for eviction, but the Tahasildar, Ranpur misconstruing it to be a Government land, initiated a proceeding under Section 7 of the Odisha Prevention of Land Encroachment Act, 1972 (for brevity, “the Act, 1972) and passed order for eviction and issued the notice in L.E. Case No. 172 of 2025-26 under Annexure-9.

3. Prima facie, it appears that the land in question belongs to the deity, namely, Sri Damuni Thakurani Bije, At/P.O. Rajsunakhala and an order under Section 25 of the Act, 1951 has been passed. Thus, the proceeding under the Act, 1972 may not be maintainable in the instant case.

4. Accordingly, this Court directs that the order of eviction passed by the Tahasildar, Ranpur in L.E. Case No. 172 of 2025-26 under Annexure-9 shall remain stayed till the next date.

Issue urgent certified copy as per Rules.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

PKSahoo