



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2959 of 2022

Bipin Bihari Panda

....

Petitioner(s)

Mr. Niranjana Maharanan, Adv.

-versus-

State of Orissa & Ors.

....

Opposite Party(s)

Smt. Jyotsnamayee Sahoo, ASC

CORAM:

HON'BLE DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
24.03.2025

05. 1. This matter is taken up through hybrid arrangement.
2. In filing this Writ Petition, the Petitioner being an encroacher has challenged the order dated 28.10.2021 passed by the Sub-Collector, Kuchinda/Opposite Party No.3 in Encroachment Appeal No.01/2020.
3. Heard learned counsel for the Parties.
4. During course of hearing, learned counsel for the State, at the outset, submits that there is a clear statutory remedy of revision available under the O.P.L.E Act against the impugned order dated 28.10.2021. Hence, the Petitioner should approach the Revisional Authority.
5. In such view of the matter, this Court is not inclined to entertain the prayer made in this Writ Petition. However, considering the request of the learned counsel for the Petitioner, this Court permits the Petitioner to file revision

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along with a petition for condonation of delay, if any, so also a petition for interim protection before the concerned Revisional Authority as per the provision under the O.P.L.E Act, within a period of ten working days hence. In such event, the Revisional Authority shall condone the delay in preferring the revision liberally.

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 order dated 28.10.2021 passed in Encroachment Appeal No.01/2020.

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

(Dr. S.K. Panigrahi)
Judge

Ayaskanta

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