



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No. 201 of 2026

Sunafula Mahanta

.... **Petitioner**
Mr. A. Sarmadi, Advocate
on behalf of
Mr. Mukunda Chandra Mishra, Advocate

-versus-

1. State of Odisha, represented by
its Commissioner-Cum-
Secretary, Home Department,
Odisha, Bhubaneswar
2. Inspector-in-charge, Town P.S.,
Keonjhar
3. Authorised Officer, Bank of
India, Joda Branch, Joda,
Keonjhar

.... **Opposite Parties**

Mr. Sarathi Jyoti Mohanty,
Additional Standing Counsel

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER
27.02.2026

Order No.
02.

(Through hybrid mode)

1. The CRLMP has been filed with the following prayer:

"PRAYER

It is therefore prayed that this Hon'ble Court may kindly be pleased to admit the case, issue notice to the opp parties, and after hearing the parties may direct the opp party No-2 to register the FIR against the opp party No-3 whom is behaved with much, cruelty attitude, threatening with slang language and lastly told to petitioner get out this this house during



absence of my husband, and despite of my repeated submission, O.P No.2 did not register my Written complain and investigate the allegation promptly causing no delay unnecessarily and take appropriate penal action against the culprits. If the O.P No.2 does not register FIR, petitioner will proceed certain hardship and irreparable loss which cannot be compensated in any manner for her existence. xx xx xx”

2. The prayer is confusing as it is not happily worded but in Annexure-1, which is copy of the complaint dated 16.01.2026, addressed to the IIC, Town P.S., Keonjhar, it is stated that the Petitioner is staying in Jagannathpur Mouza since 08.09.2023. On 16.01.2026 when her husband was not present at home, bank officials came to her house and threatened her using bad and obscene language and scolded her to vacate the house. After that she told them that the house was in her name so where she should go. They replied stating that doing forgery, she has built the house where she is staying and also showed bad behaviour towards her. Since the IIC did not register any FIR, a representation was sent to the S.P., Keonjhar on 27.01.2026 by Speed Post. The subject matter of the representation is extracted below.

“I would therefore request your honour that you will be kind enough to consider my said grievance and may give direction to IIC, Town Police Station, Keonjhar accept my FIR regarding illegal, wrongful and arbitrary action, Bank of India, Joda, Keonjhar



who evicted and took the possession in unlawful manner, after needful, for which I shall be grateful to you forever.”

3. Annexure-3 series includes copy of the RoR pertaining to Mouza-Jagannathpur, Unit No.17, Police Station-Keonjhar Sadar, Khata No.102/1148, Plot Nos.465/565, which is recorded in the name of the Petitioner-Sunafula Mahanta pursuant to Mutation Case No.3276 of 2023 and a Letter dated 04.12.2025, addressed to one Archana Nayak (borrower & mortgager), w/o. Mr. Sumit Kumar Behura and Mr. Sumit Kumar Behura (co-borrower & mortgager) for vacating and handing over peaceful possession of the mortgaged property. It is stated therein that *“All that Part and Parcel of the Land and Building situated over Plot No.465/565, Khata No. 102/165, Unit No. 17, Mouza- Jagannathpur, Dist.-Keonjhar, SRO-DSRO Keonjhar, Tahasil, PS-Sadar, P.S. No. 170, Area- 0.050 Dec, Kisam-Gharbari in the name of Mrs. Archana Nayak & Mr. Sumit Kumar Behura. Document No.11001800670 for the year 2018.”*

4. It is, therefore, apparent that pursuant to such notice dated 04.12.2025, the bank officers have gone to the house of the Petitioner.

5. Mr. A. Sarmadi, learned counsel appearing on behalf of Mr. Mukunda Chandra Mishra, learned counsel for the Petitioner submits that there is a mismatch in the plot number but the bank officers have illegally entered into the house of the Petitioner and evicted her from the same for which she and her family have no place to stay.



6. Perusal of letter dated 04.12.2025 (Annexure-3 series) to the CRLMP reveals that the Chief Manager and Authorized Officer, Bank of India has given notice in respect of Plot No.465/565, Khata No.102/165 of Mouza-Jagannathpur, to one Archana Nayak and Sumit Kumar Behura, pursuant to which the Petitioner has been evicted.

7. Since the action has admittedly been taken under the SARFAESI Act, though there may have been some mismatch in the plot details, I am not inclined to issue any direction to Opposite Party No.2 to register any case on the written complaint of the Petitioner in exercise of power under Article 226 of the Constitution of India.

8. The Petitioner is at liberty to avail of alternate remedy which may be available to her under law, if so advised.

9. The CRLMP is disposed of with the aforesaid observation.

(Savitri Ratho)
Judge

RKS