

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.4146 of 2024

Pramila Mishra and others

....

Petitioners

Mr. K.K. Mishra, Advocate

-Versus-

State of Odisha and others

....

Opposite parties

Mr. P.K. Rout, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

23.02.2024

Order No.

01.

1. The matter is taken up for hearing on a Special Notice.
2. Heard Mr. Mishra, learned counsel for the petitioners and Mr. Rout, learned AGA for the State.
3. Instant writ petition is filed by the petitioners for a direction to the opposite parties not to demolish the residential house owned by him situate and standing over Plot No.1091 under Khata No.559 of Mouza- Sutahat, Cuttack on the grounds stated therein.
4. It is submitted by Mr. Mishra that Plot Nos.1091 and 1092 were purchased way back in 1975 and are in possession of the petitioners till now but despite an order the Settlement Authority, the alleged plot stood recorded with CMC, nevertheless, such possession stands reflected in the remarks column of the RoR as at Annexure-4 and in the meantime, CMC has taken a decision to demolish the structure standing over the schedule land within next two days, hence, the writ petition.
5. Mr. Mishra, learned counsel for the petitioners is requested to serve a copy of the writ petition by 26th February, 2024 on Mr.

Debasis Nayak, learned counsel, who normally appears for CMC since the Court is inclined to consider its response. A copy of the writ petition with all annexures is already served on the State in the Court itself and Mr. Rout, learned AGA is also requested to take instructions in the meantime.

6. List on 29th February, 2024 for final orders awaiting response of the CMC.

(R.K.Pattanaik)
Judge

02.

I.A No.2865 of 2024

1. Pending response of the CMC, in particular, this Court as an interim measure directs opposite party Nos. 3 and 4 to defer the impugned action vis-à-vis the petitioners with respect to the schedule plot till the next date.
2. List on the date fixed.
3. Urgent copy of this order be issued as per rules and in course of the day.

(R.K.Pattanaik)
Judge

Rojina

Signature Not Verified

Digitally Signed
Signed by: ROJINA SAHOO
Designation: Junior Stenographer
Reason: Authentication
Location: OHC, CTC
Date: 23-Feb-2024 19:55:18

