



IN THE HIGH COURT OF ORISSA AT CUTTACK

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

Pramila Mishra & Ors. *Petitioner(s)*
Mr. Kishore Kumar Mishra, Adv.

-versus-

State of Odisha & Ors. *Opposite Party(s)*
Mr. Debasis Nayak, AGA

CORAM:
HON'BLE DR.JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
24.07.2025

04. 1. This matter is taken up through hybrid arrangement.
2. In filing this Writ Petition, the Petitioners alleged to be encroachers have sought for a direction from this Court to the Opposite Parties for not demolishing their residential houses constructed over the disputed property in question.
3. Heard.
4. During course of hearing, learned counsel for the State, at the outset, submits that the Petitioners have preferred this Writ Petition only apprehending the danger of eviction. He further contends that since no notice of eviction has been issued to the Petitioners till today, the prayer made in this Writ Petition is premature. He, accordingly, prays for dismissal of this Writ Petition.

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Designation: Personal Assistant
Reason: Authentication
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Date: 28-Jul-2025 16:59:06



5. At this juncture, learned counsel for the Petitioners submits that there is a mic announcement for demolition of the residential houses of the Petitioners. Hence, finding no alternative way the Petitioners have preferred this Writ Petition. He further contends that the Petitioners are the rightful owners of the disputed property in question. He, accordingly, prays for allowing the prayer made in this Writ Petition.

6. Considering the submissions made on behalf of the Parties and since the learned counsel for Petitioners submits that there is a mic announcement for eviction of the Petitioners from the disputed property in question, this Court directs the Opposite Parties not to undertake any eviction/demolition drive without issuing the notice of eviction or following due process of law. The authorities concerned are also directed to issue the notice of eviction before undertaking the eviction drive, if any. The Petitioners will also be permitted to produce the relevant documents showing their ownership over the disputed property in question before the authority concerned.

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

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Ayaskanta

(Dr. S.K. Panigrahi)
Judge