

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 7341 of 2022

Omkarnand Purohit

.....

Petitioner

Mr. T.K. Mishra, Adv.

Vs.

State of Orissa and others

.....

Opposite Parties

Mr. P.P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

11.04.2022

Order No.

02.

This matter is taken up through hybrid mode.

2. The private opposite parties no.4 to 12 are in occupation of lease hold land bearing M.S. Plot No.37 measuring Ac.0.27 and M.S. Plot No. 40 measuring Ac.0.02 and Ac.0.29 in Khata No. 625 of Unit-2 of Sambalpur Town, and the they have been directed to be evicted from those lands so that the same can be settled in favour of the petitioner. Though the private opposite parties have approached the appellate authority against the order of eviction, but the same was remanded to the Tahasildar, Sambalpur, who after due adjudication, upheld the order of eviction and accordingly, vide order dated 25.11.2021, issued notice of eviction against the private opposite parties under Section 7(1) of the OPLE Act and execute the same after expiry of the statutory period.
3. Mr. T.K. Mishra, learned counsel for the petitioner contended that unless opposite parties no.4 to 12 are evicted from the encroached lands, the same cannot be settled in favour of the

petitioner. Therefore, the petitioner has approached this Court by filing the present writ petition.

4. Issue notice to the opposite parties.

5. Three extra copies of the writ petition be served on learned State Counsel appearing for opposite parties no.1 to 3 within three days enabling him to obtain instructions or file counter affidavit.

6. Steps for service of notice on the opposite parties no.4 to 12 by registered post with A.D. be taken within three days. Office shall send notice to the said opposite parties fixing an early returnable date.

Ashok/Puspa

