



IN THE HIGH COURT OF ORISSA AT CUTTACK

I.A. No.5431 of 2026 & WP(C) No.8877 of 2026

Ramesh Chandra Naidu

.....

Petitioners

Represented by Adv. –
Jayadeep Pal, Adv.

-versus-

State of Odisha & Another

.....

Opposite Parties

Represented by Adv. –

Mr. Tapan Kumar Dash,
AGA

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDERS

23.03.2026

Order No.

1. 1. These matters are taken up through hybrid mode.
2. 2. Though, this matter was not the assigned matter of this Bench, but on special notice of the Hon'ble The Chief Justice, this matter was listed before this Bench.
3. 3. The learned counsel for the petitioner and the learned Addl. Government Advocate for the State are present.
4. 4. The I.A. No.5431 of 2026 has been filed by the petitioner praying for restraining the Opp. Party No.2(Tahasildar, Puri) from taking any coercive action in evicting the petitioner from the case land till the final disposal of the Writ Petition vide WP(C) No.8877 of 2026, from which this I.A. No.5431 of 2026 has arisen.



5. Heard from the learned counsel for the petitioner and the learned Addl. Government Advocate for the State.

6. In the I.A. No.5431 of 2026, the petitioner has stated that, after the order of eviction passed in O.P.L.E. Case No.4-45/2026 by the Tahasildar, Puri for the eviction of the petitioner from the case land, the petitioner decided for preferring a statutory appeal under O.P.L.E. Act challenging the said order of eviction passed by the Tahasildar, Puri (Opp. Party No.2).

For which, the petitioner applied for the certified copy of the order sheets of the O.P.L.E. Case No.4-45/2026 on dated 13.02.2026 through Copy Application No.506 dated 13.02.2026 before the Tahasildar, Puri (Opp. Party No.2), but till yet, the certified copies of the order sheets of O.P.L.E. Case No.4-45/2026 have not been supplied by the Tahasildar, Puri (Opp. Party No.2) to the petitioner.

7. Therefore, the petitioner is not able to prefer an appeal challenging the order eviction passed in the O.P.L.E. Case No.4-45/2026, in respect of which notice dated 16.03.2026 vide (Annexure-5) was issued against the petitioner for his eviction from the case land.



8. When the petitioner is interested for preferring an appeal challenging the order of eviction from the case land passed against him in O.P.L.E. Case No.4-45/2026 by the Tahasildar, Puri (Opp. Party No.2) and when preferring an appeal against the order of eviction passed by the Tahasildar, Puri (Opp. Party No.2) in O.P.L.E. Case No.4-45/2026 is a statutory Right of the petitioner and when the petitioner is not able to prefer an appeal only due to non-receiving the certified copy of the order sheets of O.P.L.E. Case No.4-45/2026 from the Tahasildar, Puri (Opp. Party No.2) in spite of applying for the same through Copy Application No.506 dated 13.02.2026, then, at this juncture, the interest of justice shall bestly be served, if interim protection shall be given to the petitioner restraining the Tahasildar, Puri (Opp. Party No.2) in evicting the petitioner from the case land till the moving of an application for an interim arrangement in the statutory appeal under O.P.L.E Act on being filed by the petitioner annexing the certified copy of this Order after obtaining the certified copy of the order sheets of O.P.L.E. Case No.4-45/2026 in respect of which, he (petitioner) has applied through Copy Application No.506 dated 13.02.2026.

9. Therefore, this I.A. filed by the petitioner is allowed.



10. Tahasildar, Puri (Opp. Party No.2) is restrained from evicting the petitioner from the case land in reference to the notice dated 16.03.2026 issued by the Opp. Party No.2 to the petitioner in respect of the order passed in O.P.L.E. Case No.4-45/2026 till the moving of an application by the petitioner for an interim arrangement before the Sub-Collector, Puri in filing a statutory appeal under Section 12 of the O.P.L.E. Act, 1972 within a period of 15 days from the date of receiving the certified copy of the order sheets of O.P.L.E. Case No.4-45/2026 from the Tahasildar, Puri (Opp. Party No.2) in respect of which the application has been made by the petitioner through Copy Application No.506 dated 13.02.2026 and the Tahasildar, Puri (Opp. Party No.2) is directed to supply the certified copy of the order sheets in O.P.L.E. Case No.4-45/2026 on the basis of the Copy Application No.506 dated 13.02.2026 of the petitioner within a period of 7 days from the date of communication of this Order.

11. Registry is directed to communicate the copy of this order to the Tahasildar, Puri (Opp. Party No.2) immediately.

12. Urgent certified copy of this Order be granted to the petitioner on proper application in course of the day.



13. As such, the I.A. No.5431 of 2026 as well as writ petition No.8877 of 2026 both are disposed of finally.

(ANANDA CHANDRA BEHERA)
Judge

Rati Ranjan