



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.9877 of 2026**

**1. Sonu Suna** ..... **Petitioners**  
**2. Madhu Sudan Deep**  
**3. Mahendra Thakur**

Mr. P.K. Satapathy, Advocate

*-versus-*

**1. State of Odisha,** ..... **Opposite Parties**  
**represented through its**  
**Commissioner-cum-**  
**Secretary H & UD**  
**Department, Bhubaneswar**  
**2. Collector, Jharsuguda**  
**3. Jharsuguda**  
**Municipality,**  
**represented through its**  
**Chairperson, Jharsuguda**  
**4. Executive Officer,**  
**Jharsuguda**  
**Municipality,**  
**Jharsuguda**  
**5. IIC, Town Police**  
**Station, Jharsuguda**

Mr. C.R. Swain, AGA

**CORAM: JUSTICE V. NARASINGH**

**ORDER**

**31.03.2026**

**Order No.**

- 01.** 1. Heard learned counsel for the Petitioner and learned counsel for the State.
2. Alleging inaction that the eviction notice at Annexure-1 dated 23.03.2026 have been issued by the Jharsuguda Municipality in an arbitrary manner, the present writ petition has been preferred.



3. For convenience of reference, the prayer made in the writ petition is extracted hereunder:-

"The petitioners therefore prays that your Lordships would be graciously pleased to admit this Writ Petition, call for the records, after hearing the parties issue writ/writs in the nature of certiorari/mandamus or any other writ/directions quash the eviction notice dated. 23.03.2026 under annexure-1 series and direct the opp. Parties to consider the petitioners prayer for settlement of the shop rooms in the occupation of the petitioners near near Manmohan govt. UP School boundary, Jharsuguda Municipality through lease basis U/s-127 of the Orissa Municipal Act, 1950.

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4. It is submitted by the learned counsel for the Petitioners, on instruction that the Petitioners are at all fours with Rajesh Prasad Shah and Rakesh Kumar Shah who approached this Court by filing W.P.(C) No.3053 of 2025 and by order dated 12.02.2025, this Court directed their grievances to be considered within a period of two months from the date of receipt of the order passed therein and protected the Petitioners from eviction till such decision is taken.

5. Admittedly, the Petitioners have not moved the Municipality ventilating their grievance.

6. Referring to the same, learned counsel for the State submits that since the pre-condition to invoke the writ jurisdiction of this Court is admittedly not



adhered to, the writ petition is liable to be rejected on the said ground alone.

7. Taking into account the order passed by this Court in W.P.(C) No.3053 of 2025 adverted to hereinabove, the present writ petition is disposed of giving liberty to the Petitioners to approach the authorities by filing a representation within a period of two weeks hence.

8. In the event such a representation is submitted along with copy of this order, the Opposite Party No.4- Executive Officer, Jharsuguda Municipality, Jharsuguda shall take a decision in the matter and communicate the same to the Petitioners and till such decision is taken, no coercive action shall be taken in terms of the impugned eviction notice at Annexure-1.

9. It is made clear that this Court has not expressed any opinion regarding the merit of the claim in the writ petition.

10. Accordingly, the writ petition along with I.A. stand disposed of.

**(V. NARASINGH)**  
**Judge**

*Ayesha*