



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP.(C) No. 12438 of 2026

Kabira Mahakud@Bagal

....

Petitioner

Represented by
Mr. S.K. Patnaik, Advocate

-Versus -

The Collector and District
Magistrate, Mayurbhanj

....

Opp. Parties

Represented by
Mr. S.S. Routray, ASC

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
08.05.2026

Order No.
1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned Addl. Standing Counsel for the State.
3. The petitioner has approached this Court with the following prayer:-

“Under the facts and circumstances stated above, the petitioners humbly pray that this Hon’ble Court be graciously pleased to admit the writ petition, issue notice against the opp. parties, call for records from the opp. party No.2 and after hearing quash the direction issued by the opp. party No.2 to the opp. party No.3 vide its letter dated 09.02.2026 and 202.2026 respectively under Annexures-6 and 7 holding such directions to be incompetent, sans authority of law, without jurisdiction and the exercise undertakes as an abuse of process of law.

And pass any other and further orders this



Hon'ble Court deems fit and proper in the peculiar fact and circumstances of the case.

And for this act of kindness, the petitioner shall as in duty bound ever pray.

4. By order dated 16.03.2013 passed by the learned Civil Judge (Senior Division), Rairangpur in C.S. No. 93 of 2004, the petitioner was permitted to make construction of his house limited to an area of Ac.0.0252 decimal on certain terms and conditions. The defendants wanted variance of that order by filing an application but the same came be rejected. While the matter stood thus, the Sub-Collector apparently being approached by the defendants, has instructed the Inspector-in-Charge, Rairangpur Town Police Station vide letter dated 22.02.2026 to cause an inquiry and to ensure that the construction is made strictly in terms of the order of the Civil Court.

5. Mr. Patnaik, learned counsel for the petitioner, however, submits that taking advantage of this letter, the police has stopped construction altogether.

6. Learned State Counsel submits that since the same amounts to violation of the order of the civil Court, the petitioner should approach the Civil Court by seeking appropriate remedy.

7. After considering the submissions of the parties and on going through the materials on record particularly, the order passed by the Civil Court referred above, the writ petition is disposed of granting liberty to the petitioner to move the Civil Court by filing necessary application seeking appropriate relief/implementation of the earlier order passed.

8. The IIC of Rairangpur Police Station (opposite party No. 3) is restrained from interfering with the construction work undertaken



by the petitioner.

9. It is however made clear that no construction shall be made by the petitioner contrary to the directions of the Civil Court.

(Sashikanta Mishra)
Judge

BC.TUDU

Signature Not Verified

Digitally Signed
Signed by: BHIGAL CHANDRA TUDU
Designation: Sr. Stenographer
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 08-May-2026 19:07:28

