



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

**WP(C) No.13941 of 2026**

***Jasmin Sahoo***

....

***Petitioner***

*Mr. S.K. Mallick, Advocate*

*-versus-*

***The State of Odisha &  
others***

.... ***Opposite Parties***

*Mr. S. Mishra, ASC*

**CORAM: JUSTICE SANJAY KUMAR MISHRA**

**ORDER**

**07.05.2026**

**Order No.**

**01.**

This matter is taken up through hybrid mode.

**2.** The Petitioner, who claims herself to be a landless poor person and has constructed a thatched abode on the Government land, which she allegedly encroached since 2008, has preferred the present writ petition seeking a direction to the Tahasildar, Khordha to settle the Govt. land in her favour by considering her representation dated 15.12.2025 (Annexure-3), which is allegedly pending before him.

**3.** Mr. Mishra, learned Additional Standing Counsel, who accepts notice on behalf of the Opposite Parties and admits to have received copy of the writ petition submits, the writ petition is premature. Mr. Mishra, learned ASC further submits, the apprehension of the Petitioner that the Tahasildar, Khordha may acquire the encroached land without following due procedure, is baseless. That



apart, the prayer made in the writ petition is also not maintainable, when encroachment proceeding is allegedly pending before the Tahasildar, Khordha vide Encroachment Case No.141 of 2020. Further, order passed by the Tahasildar, if any, is appealable under Section 12 of the Orissa Prevention of Land Encroachment Act, 1972.

4. However, at this stage, learned Counsel for the Petitioner prays for withdrawal of the writ petition to avail his remedy in terms of the Orissa Prevention of Land Encroachment Act, 1972 and Rules made there under, so also under the Orissa Government Land Settlement Act, 1962 and Rules made thereunder.

5. Accordingly, without expressing any opinion on the merit of the case, the writ petition stands disposed of as withdrawn.

6. This Court is hopeful that the Tahasildar, Khordha shall proceed in Encroachment Case No.141 of 2020 in accordance with law, giving due opportunity of hearing to the Petitioner, provided the same is still pending.

7. Urgent certified copy of this order be granted on proper application.

**(S.K. MISHRA)**  
**JUDGE**

*Kanhu*

Signature Not Verified

Digitally Signed  
Signed by: KANHU BEHERA  
Designation: JUNIOR STENOGRAPHER  
Reason: Authentication  
Location: High Court of Orissa, Cuttack.  
Date: 09-May-2026 10:42:19