



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14771 of 2022

Bigyan Kumar Mallick ***Petitioner***

Mr. P.K. Mohanty, Advocate

-versus-

State of Odisha & others ***Opp. Parties***

Mr. S.K. Jee, AGA

CORAM:

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

31.03.2026

Order No.

01. 1. Heard learned counsel for the Parties.
2. By means of this application, the Petitioner seeks the following relief:

“It is therefore prayed this Hon'ble Court would graciously be pleased to admit this Writ Petition and: issue a rule NISI calling upon the opposite parties to file show cause as to why the Petitioners possession shall not be considered as genuineness, and allow him to stay in his place as he has been possessing the said plot since long. If the opposite parties fail to file any show insufficient cause this Hon'ble Court would be pleased make absolute the said rule and issue a writ in the nature of mandamus or any other appropriate writ/writs directing the opposite parties to consider the petitioner's possession over the said plot as genuineness and allow him to stay in his place as he has been possessing the said Plot since long.”



3. Although, the Petitioner seeks the relief to consider his possession over the plot, there is absolutely no mention about the nature of his possession, source and manner of acquisition in respect to the scheduled property so also the details of property itself. The Petitioner has also not made out a case with regard to his right claimed in the writ as asserted. Apparently, the Petitioner has been in possession of the Government land and an action for eviction has been initiated thereto.

4. Having regard to the nature of the relief claimed by the Petitioner, he may establish his right title and possession in accordance with law before a competent court of civil nature. In absence of any material to entertain the present Petition for grant of relief under Article 226 of the Constitution of India, the Petition deserves to be dismissed and accordingly is.

(Chittaranjan Dash)
Judge