



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6012 of 2015

Malay Kumar Pradhan

....

Petitioner

Mr.S.S.Das, Sr.Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.T.K.Dash, AGA

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

24.2.2026

Order No.

11.

1. Heard Mr. Das, learned Senior Counsel for the Petitioner and Mr. Dash, learned Additional Government Advocate for State-Opposite Parties.

2. The grievance of the Petitioner is that he purchased the case land, i.e. Plot No.630, Khata No.196/650, measuring Ac.0.27 decimals out of Ac.0.69 decimals, on 25th May 2013 of Mouza Korada under Remuna Tahasil in the district of Balasore from one Hiranmayee Panda. Subsequently, though no final intimation was sent to him, but the concerned Tahasildar took steps physically to dispossess the Petitioner from the case land on the ground that the same is involved in a criminal case.



3. On the query made by the Petitioner, he came to know about the letter dated 7th February 2015 (Annexure-6) issued by the A.D.M. & Competent Authority under the OPID Act directing the Tahasildar for taking over possession as per the ad-interim attachment order of the Government relating to the properties of M/s.Artha Tatwa Group of Companies.

4. Mr.Das, learned Senior Counsel appearing on behalf of the Petitioner submits that the letter of attachment as per Annexure-6 does not specify any plot or Khata number and the case land as possessed by the Petitioner after purchase by him is never mentioned in any order of the Competent Authority for attachment.

5. The State has filed its counter affidavit through the Tahasildar, Remuna and it is admitted in the counter at Paragraph 13 that, the case land owned by the Petitioner is not a part of the attached properties. For better appreciation, Para 13 of the counter are reproduced below:

“13. That with regard to averments made in paragraph-21 of the writ petition, it is humbly submitted that this deponent has not received any letter/direction regarding attachment of property appertaining to Plot No.630, Khata No.196/650, Mouza- Korada, Tahasil- Remuna, Dist- Balasore. However,



the original case record in connection with Kharavelnagar P.S. Case No.44/2013 has already been transferred to CBI, Bhubaneswar on 9.8.2014 and at present CBI is investigating the case.”

6. Admittedly, the proceeding for attachment of the property has been initiated under the Odisha Protection of Interests of Depositors (in Financial Establishments) Act, 2011 (in short ‘the OPID Act’). Nothing has been brought on record in the counter affidavit regarding initiation of any other proceeding under any other law relating to the case land.

7. Thus, it is seen that the Petitioner has purchased the property vide RSD dated 25th May 2013 on payment of consideration amount and no such proceeding for attachment of the property or any legal hindrance is seen to be pending in respect of the case land. The Tahasildar has also admitted in the counter at Para-11 that he has not received any letter/direction from the Competent Authority for taking over possession as per the ad-interim attachment order in respect of the case land.

8. In such view of the matter, when no proceeding for attachment of the property or any other legal hindrance is seen in respect of possession of the Petitioner over the case land, no



reason is seen to refuse the Petitioner to continue with his possession over the case land. Accordingly, the writ petition is disposed of permitting the Petitioner to continue with possession of the case land.

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

(B.P. Routray)
Judge