



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.18377 of 2026

- 1. Kabita Behera**
- 2. Laxmi Sahoo**
- 3. Mami Behera**
- 4. Akash Kumar Gochhayat**
- 5. Malati Nayak**
- 6. Jamila Begum**
- 7. Runu Sahoo**
- 8. Nirupama Behera**
- 9. Urmila Sahoo**
- 10. Muskan Begum**
- 11. Sairun Bibi**
- 12. Ujala Sahoo**
- 13. Manisha Ojha**
- 14. Jhunu Rout**
- 15. Babita Dalei**
- 16. Ashanti Sethi**
- 17. Manasinee Sahoo**
- 18. Hena Parveen**
- 19. Bilasini Behera**
- 20. Jhuna Sethy**
- 21. Diljan Bibi**
- 22. Okilur Rahaman**
- 23. Pratima Naik**
- 24. Sunita Barik**
- 25. Aseha Kumar Nayak**
- 26. Lili Naik**
- 27. Laxmi Sahoo**
- 28. Bharat Chandra Sahoo**
- 29. Bilas Panda**
- 30. Ahalya Naik**
- 31. Nandini Barik**
- 32. Tayub Ansari**
- 33. Binapani Majhi**
- 34. Sadaf Jahan**
- 35. Minakhi Barik**
- 36. Kalyani Behera**
- 37. Rina Sahu**
- 38. Mamat Rani Das**



39.Gitanjali Barik
40.Akima Bibi
41.Noorjahan Khan
42.Ranju Pradhan
43.Sumitra Naik
44.Suchitra Jena

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Petitioners

Mr. Asit Kumar Jena, Advocate

-versus-

**1. State of Odisha, represented
through its Secretary, Revenue
and Disaster Management
Department, Bhubaneswar**
2. Collector, Dhenkanal
3. Sub-Collector, Dhenkanal
**4. Executive Officer, Dhenkanal
Municipal Council, Dhenkanal**
5. Tahasildar, Dhenkanal

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Opposite Parties

*Mr. Debaraj Mohanty,
Additional Government Advocate*

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER
19.06.2026

Order No.
01.

(Through virtual mode)

1. This writ application has been filed by 44 persons challenging the public notice dated 11.06.2026 (Annexure-1) issued by the Executive Officer, Dhenkanal Municipal Council - Opposite Party No.4 informing the public that the houses built illegally by encroaching upon Government Plot No.94 and 94/5767 of Mouza - Banamaliprasad, Kutunia Nua Sahi would be demolished by 19.06.2026 and if anybody had any grievance or



objection they should submit the same to the Executive Officer before 19.06.2026 along with supporting documents in writing, failing which steps for eviction would be taken and the authority would not be responsible for any damage caused by such eviction.

2. Mr. Asit Kumar Jena, learned counsel for the Petitioners submits that the Petitioners have not submitted any objection against the impugned notice. He further submits that the Petitioners have been residing over these two plots since more than 37 years with their family by constructing their houses and they are getting different welfare benefits from the local administration like ration card, old age pension, electricity benefit under Government scheme and copies of the electricity bills and ration cards have been annexed as Annexure-2 series. He also submits that the Petitioners have approached the competent authority to record the aforesaid land in their name by invoking the power under Section 8-A of the OPLE Act and have been issued Land Rights Identification Certificates (Bhumi Adhikara Pramana Patra), but the Collector, Dhenkanal has issued such certificates to some slum dwellers which have been annexed as Annexure-3. It is also stated that the authority concerned has issued Land Rights Identification Certificates to 80 persons and they have constructed their houses



and are getting the benefits under Government scheme. The list of the beneficiaries has been annexed as Annexure-4. Mr. Jena, learned counsel for the Petitioners submits that before removing the slum dwellers, it is the duty of the authority to accommodate them permanently anywhere else.

3. “Writ Petitions relating to the Street Vendors’ (Protection of Livelihood and Regulation of Street Vending Act, 2014” is the assignment of a Division Bench. Hence, this writ petition is not maintainable before this Bench. It is also apparent from the submissions that all the Petitioners do not stand on the same footing and some are aged less than 37 years.

4. Mr. Debaraj Mohanty, learned Additional Government Advocate submits that the Petitioners are not similarly situated and hence the writ application is not maintainable. He also submits that copies of ration cards and electricity bills of all the Petitioners have not been filed.

5. In view of the contents of the notice and as the eviction is stated to take place today, without going into the merits of the case of the Petitioners, it is directed that if the Petitioners submit their individual objection / representation against the impugned notice dated 11.06.2026, by 22.06.2026, before the Opposite Party No.4-



Executive Officer, the objection / representation shall be disposed of by a reasoned order within a period of three weeks and the result communicated to the Petitioners.

6. It is further directed that the Petitioners shall not be evicted from the case land, if not already evicted in the meanwhile, for a period of four weeks.

7. If no objection / representation is submitted by 22.06.2026, it is open to the Opposite Party No.4 to proceed with the eviction in accordance with law.

8. With the above observation and directions, the writ petition is disposed of.

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

(Savitri Ratho)
Vacation Judge

RKS