



IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.801 of 2026

Sanjib Kumar Patry

....

Petitioner

Mr. Shivsankar Mohanty, Advocate
-versus-

- 1. State of Odisha, represented
through its Principal Secretary,
Home Department,
Bhubaneswar***
- 2. The Commissioner of Police,
Bhubaneswar-Cuttack***
- 3. The Deputy Commissioner of
Police, UPD Bhubaneswar***
- 4. The Inspector-in-Charge, Pahala
Police Station***

....

Opposite Parties

Mr. Saroj Kumar Rout,
Additional Standing Counsel

CORAM:

THE HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER
14.07.2026

Order No.
03.

(Through Hybrid Mode)

1. This CRLMP has been filed for a direction to the Opposite Parties No.3 and 4 to provide police protection to the Petitioner and his workers/labourers for repairing the southern boundary wall, plantation and other lawful construction work on his land situated in Mouza-Rudrapur, Plot No.255, Khata No.412/782, Area Ac.0.100 dec. under Pahala Police Station.



2. Pursuant to orders dated 02.07.2026 and 09.07.2026, instructions dated 14.07.2026 of the IIC, Pahala Police Station are produced. In the instructions dated 14.07.2026, the IIC, Pahala Police Station, Bhubaneswar UPD, after giving details of the proceedings pending in connection with the said land, has stated as follows:

“8. A long-standing chronic civil land dispute has been continuing between the two parties for a considerable period. Therefore, the petitioner may be advised to get his land demarcated through the competent revenue authority. After official demarcation by the Government, police protection may be provided during the construction of the boundary wall. Otherwise, there is every likelihood of a serious breach of peace and bloodshed in the locality.”

(emphasis supplied)

3. After reading the said paragraph, this Court is unable to understand whether the advice has been given to the learned Advocate General (as the letter has been addressed to the learned Advocate General) or to this Court. A clarification in this regard may be obtained by Mr. S.K. Rout, learned Additional Standing



Counsel from the IIC, Pahala Police Station within three weeks and submitted for perusal of this Court.

4. Mr. Shivsankar Mohanty, learned counsel for the Petitioner draws my attention to Annexure-5 which is the letter dated 23.08.2024 of the Sub-Inspector of Pahala Police Station, addressed to the DCP, Bhubaneswar where it is stated that the Petitioner has requested to repair his southern side boundary wall which is situated at Puri canal road side of his land and plantation of tree on road side in presence of police as he is apprehending possibility of attack from Jena family and other encroachers of Puri Canal side. He also submits that his property has been demarcated earlier.

5. In the report at Annexure-5 it is stated that the adjacent land owner (west boundary and north boundary) is one Debamita Chakraborty. Plot No.635 and 250 from Puri Canal road side are adjacent to the southern boundary. Narayan Jena and some others have illegally encroached and constructed wall on southern side which obstructs access of the Petitioner, and in southern side of



Sanjib Patry, i.e. Plot no.250 and 635, some people are encroaching in the public road.

6. Paragraphs 3 to 8 of the report are extracted below.

“(3) Plot number 254 (NH-16) the NH authority of India have acquired Ac.400 dec. out area 0.500 dec which is adjacent to west boundary of Sanjib Patry and the said Debamita Chakraborty@Jena has purchased the above Ac.0.070 dec. (i.e. Plot No. 254/2778) along with another Ac.0.030 dec. (i.e. Plot No. 254/2777 which is adjacent to Northern boundary of plot No. 254/2778) out of remaining area Ac.0.100 dec. after acquisition.

(4) Plot no-256 which is an old public road which is adjacent to the eastern boundary of Sanjib Patry

(5) Plot no-635 and 250 (from Puri Canal road side) of Rudrapur mouza are situated which are adjacent to the southern boundary of plot of Sanjib patry

(6) During enquiry it is ascertained that in the western side of Sanjib patry in plot no-254 (NH-16) Narayan Jena and some others illegally encroaches and constructed boundary wall which obstruct the access of the petitioner Sanjib Patry and on in the southern side of Sanjib Patry ice plot no-250 and 635 are some people are illegally encroaches the public road and which is create problem to Sanjib patry.



(7) In past there was case and counter criminal case filed against each other by the petitioner Sanjib Patry and Santosh Jena and his relatives in the year 2021.

(8) During enquiry Sanjib Patry requested that he want to repair his Sothern side boundary wall which is situated at Puri canal road side of his land and plantation of tree on roadside in presence of police as he is apprehending possibility of attacked from Jena family and other encroachers of puri canal side.”

7. It is directed that if there is no dispute pending between the Petitioner and any other party, in any Court of law, regarding the southern side boundary of his land where he wants to repair the existing boundary wall and the Petitioner produces the demarcation report in respect of his property before the IIC, Pahala Police Station, the Police shall extend protection for repair of the said boundary wall, if it is situated on the land belonging to the Petitioner.

8. With the above observations and direction, the CRLMP is disposed of.

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

(Savitri Ratho)
Judge

RKS