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IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20392 of 2025

Gitanjali Behera

....

Petitioner

Mr. P.C. Jena, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. Sanjay Rath, AGA

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order

No.

ORDER

24.07.2025

01. 1. This matter is taken up through hybrid arrangement.
2. The Petitioner, by filing this Writ Petition, has made a prayer to quash the eviction notice dated 11.06.2025 under Annexure-3.
3. Heard learned counsel for the parties.
4. Learned counsel for the Petitioner submits that the petitioner and her family members are residing over the case land pertaining to Khata No.1352, Plot No.3884, measuring an area Ac 0.027.5 dec. or 1200 sq.ft. out of area Ac 0.200 dec. of Mouza- Bhubaneswar Sahar, Unit No. 38, Pandra, Tah/P.S. Bhubaneswar, Dist.-Khurda since last 20 years. He further submits that not only the petitioner is residing there but also other families are making it as a slum area. In order to smooth living, the petitioner has constructed her residential house over the land in question and has also taken electricity connection.



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5. It is further contended that when the petitioner and her family members are residing peacefully, all of a sudden, the Opposite Party served notice on the Petitioner wherein it has been found that the General Administration Department has issued a notice to the Opposite Party/Joint Commissioner (Enforcement), B.D.A., Bhubaneswar for their eviction from the above-mentioned land in question.

6. Considering the submissions made by the learned counsel for the Petitioner and ongoing through the averments made in this Writ Petition, this Court is of the view that though the Petitioner is residing over the land in question for more than 20 years, the same does not meet the condition prescribed under Section 8-A of the OPLE Act. Hence, the Petitioner's case cannot be considered.

7. Accordingly, the Writ Petition stands dismissed.

(Dr. S.K. Panigrahi)
Judge

Gitanjali