



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.24893 of 2025

Babaji Charan Sahu

.....

Petitioner

Represented by Adv. –
Mr.K.Nanda, Adv.

-versus-

***Sub-collector-cum-presiding
Officer, Sub-divisional Senior
Citizens Tribunal, Bbsr and
others***

.....

Opposite Parties

Represented by Adv. –
Mr.G.Mohanty, SC
Mr.B.Baug, Sr.Adv.
Mr.M.R.Baug, Adv.
Mr.P.R.Barik, Adv.

CORAM:

MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

21.01.2026

Order No.

09. 1. This matter is taken up through hybrid mode.
2. The matter was listed today for personal hearing from the Petitioner Babaji Charan Sahu and the O.P. No.4 Himanshu Sekhar Sahu inside the chamber in presence of the learned counsels of the Parties.
3. The Petitioner Babaji Charan Sahu, the O.P. No.4 Himanshu Sekhar Sahu and the learned counsel for the Parties are present inside the chamber at 2 P.M..
4. The learned counsel Mr.P.R.Barik submitted Vakalatnama on behalf of the O.P. No.5 and the said



Vakalatnama is accepted and be formed part of the record.

5. Accordingly, on the basis of the previous order, the personal hearing from the Petitioner Babaji Charan Sahu and the O.P. No.4 Himanshu Shekhar Sahu started in presence of the learned counsel of the Parties.

6. During the course of personal hearing of the Petitioner Babaji Charan Sahu and the O.P. No.4 Himanshu Sekhar Sahu in presence of the learned counsel of the Parties, the Petitioner Babaji charan Sahu expressed that, he is interested to reside in the ground floor of the building situated on Plot No.760 under Khata No.487 in Mouza Bhubaneswar Town, Unit No.19, Baramunda and to spend the rest period of his life, as he is at the fag end of his life and his present age is 86 years, for which, the O.P. No.4 (Himanshu Sekhar Sahu) should allow him to stay in the ground floor of the building situated on Plot No.760.

To which, the O.P. No.4 Himanshu Sekhar Sahu did not agree and expressed that, he is staying in the first floor of the building situated on Plot No.760 under Khata No.487 in Mouza Bhubaneswar Town, Unit No.19, Baramunda and the ground floor of that house has been let out to the tenants other than the O.P. No.5 and there is only one way for moving to the first floor through the ground floor and at any cost, he cannot allow/permit the Petitioner to stay inside the ground floor of such building and the O.P. No.4 also expressed



that, he is willing to provide Rs.20,000/- (Twenty thousand) per month to his father i.e. Petitioner Babaji Charan Sahu in lieu of his staying inside the ground floor of the building situated on Plot No.760.

To which, the Petitioner Babaji Charan Sahu did not agree and expressed that, he has sentimental attachment to the ground floor of the building situated on Plot No.760 in Bhubaneswar Town, Unit No.19, Baramunda and even if, he will be paid Rs.1,00,000 (one lakh) per month, in lieu of his staying in the ground floor, still then, he is not agree to receive the same, but, he is eagerly interested to reside in the ground floor of the building situated on Plot No.760 under Khata No.487 in Mouza Bhubaneswar Town, Unit No.19, Baramunda for the rest period of his life.

7. The O.P. No.4 Himanshu Sekhar Sahu expressed that, the Petitioner Babaji Charan Sahu has been residing with his middle son Sashank Sekhar Sahu at Pokhariput, Bhubaneswar and he (Petitioner) is residing there since last 16 years.

To which, the Petitioner Babaji Charan Sahu did not dispute, but, expressed that, he is not interested to stay there for the rest period of his life, but, he is interested to spend his rest period of his life in the ground floor situated on Plot No.760 under Khata No.487 Mouza Bhubaneswar Town, Unit No.19, Baramunda, which is his native village.



8. Taking the aforesaid personal expressions of the Petitioner Babaji Charan Sahu and the O.P. No.4 Himanshu Sekhar Sahu into account, the learned counsels of both the sides submitted for listing this writ petition on 09.02.2026 for hearing in the Court.

9. So, as per the above submissions of the learned counsels of the Parties, list this writ petition on dated 09.02.2026 for hearing in the Court.

10. It is made clear here that, the personal expressions of the Petitioner Babaji Charan Sahu and the O.P. No.4 Himanshu Sekhar Sahu made today along with others shall be taken into account at the time of judgment.

11. The interim order, which was continuing till today, the same shall continue till next date.

(ANANDA CHANDRA BEHERA)
Judge

Binayak

Signature Not Verified

Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 22-Jan-2026 10:23:48

