



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 28436 of 2025

Manjulata Singh

..... *Petitioner(s)*

Mr. Satyajit Mohapatra(2), Adv.

-Versus-

State of Odisha & Ors.

..... *Opposite Party(s)*

Mr. Debasish Nayak, AGA

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

09.10.2025

Order No.

- 01.
1. This matter is taken up through hybrid arrangement.
 2. Heard learned counsel for the parties.
 3. The present Writ Petition has been filed by the Petitioner with the following prayer:

“Under these circumstances, the petitioner prays that your Lordships would be graciously pleased to consider the facts stated in the petition, admit the same, issue notice to the Opposite Parties, call for the records and calling upon them to file show cause as to why this writ petition shall not be allowed if they fail to show cause or show insufficient cause, this application may kindly be allowed and the eviction notice dtd. 23.9.2025 issued by the Opp. party No.5 i.e. Tahasildar, Remuna in LE case NO. 4-681/2023 under Annexure-14 may kindly be quashed. Further this Hon'ble Court seeking a direction for settlement of Govt. Land in favour of the petitioner in connection with Plot No. 119, Khata no. 42, Ac 0.02dec, Mouza- Chaka Begunia under Tahasil-Remuna by exercising the proviso u/s 8(A) of OPLE Act as well as Rule 15 of OPLE and Sec-2 and 3 of Odisha Land Rights to Slum Dwellers Act & Rules, 2017 for secure ends of justice. And/or pass any other order/orders, direction /directions as may be deemed just and proper in favour of the petitioner.”

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Designation: P.A.
Reason: Authentication
Location: OHC
Date: 09-Oct-2025 13:58:05





4. Learned counsel for the Petitioner submits that since the land in question falls under the area of the Executive Officer, Balasore Municipality/Opposite Party No.6, the Tahasildar, Remuna/Opposite Party No.5 has no jurisdiction to pass order of eviction dated 23.09.2025/Annexure-14 or initiate any OPLE Case against the present Petitioner.

5. In such view of the matter and considering the submission made by learned counsel for the parties, this Court is of the view that since the disputed land in question is within the purview of the Executive Officer, Balasore Municipality, the Tahasildar, Remuna has no jurisdiction to pass such order. Accordingly, the order of eviction dated 23.09.2025/Annexure-14 passed by the Opposite Party No.5/Tahasildar Remuna in L.E. Case No.4-681/2023 is hereby quashed. However, the Executive Officer, Balasore Municipality is free to issue fresh notice, if there is any encroachment by the present Petitioner.

6. It is made clear that, the Executive Officer, Balasore Municipality shall not evict the present Petitioner in future without giving an opportunity of hearing to the Petitioner.

7. Accordingly, the Writ Petition is disposed of.

8. Urgent certified copy of this order be granted as per rules in course of the day.

(Dr. Sanjeeb K Panigrahi)
Judge

Signature Not Verified

Digitally Signed
Signature of ARAM MURMU
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