



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28348 of 2025

Jagabandhu Dhinda

....

Petitioner

Mr. A. Bhoi, Advocate

-versus-

State of Odisha and

Others

....

Opposite Parties

Mr. U.C. Behura, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

06.10.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel for the parties.

3. Learned counsel for the petitioner contended that against the order of eviction passed in Encroachment Case No.70/2023-24 by the Tahasildar, Soro, petitioner has already preferred OPLE Appeal Case No.46 of 2025 before the Sub-Collector, Balasore-O.P. No.3, along with an interim application to stay the order so passed by the Tahasildar, Soro.

3.1. It is contended that even though the appeal was admitted vide order dated 04.02.2025, but no interim order was passed in the I.A. so filed. It is further contended that taking into account the said position, now vide the impugned notice dated 20.09.2025 under Annexure-1,



petitioner has been directed to vacate the disputed land on or before 03.10.2025.

3.2. Learned counsel for the petitioner contended that since against the order of eviction, an appeal has been filed and the same is pending adjudication before O.P. No.3, issuance of the impugned notice dated 20.09.2025 by the Tahasildar, Soro-O.P. No.4 under Annexure-1 is not sustainable in the eye of law.

4. Learned Addl. Govt. Advocate on the other hand contended that if the interim application filed along with the appeal has not yet been considered and disposed of, this Court may pass appropriate order directing O.P. No.3 to pass appropriate order in the I.A..

5. Having heard learned counsel for the parties and considering the submissions made, this Court while disposing the Writ Petition, directs O.P. No.3 to take up the interim application filed along with the appeal and pass appropriate order thereon, in accordance with law, on or before 24.10.2025. Till 24.10.2025, no coercive action be taken against the petitioner basing on Annexure-1 notice dated 20.09.2025.

6. The Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Vacation Judge

Signature Not Verified

Digitally Signed
Signed by: BASUDEB SWAIN
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 08-Oct-2025 12:10:11

