



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30377 of 2025

Anita Sahoo & another **Petitioners**
Mr. A. Mishra, Advocate

-Versus-

State of Odisha & others **Opposite Parties**
Mr. P.K. Ray, AGA

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
30.10.2025

Order No.

01. 1. Heard Mr. Mishra, learned counsel for the petitioners.
2. Instant writ petition is filed by the petitioners challenging the impugned notice at Annexure-4 issued under Section 254 of the Orissa Municipality Act, 1950 (hereinafter referred to 'the Act') on the grounds stated.
3. Mr. Mishra, learned counsel for the petitioners would submit that similar notices were issued earlier by opposite party No.3 and thereafter, recalled it upon a satisfaction as to absence of any encroachment. The further submission is that such a notice has once again been issued vide Annexure-4 despite having no encroachment and hence, the same is legally untenable.
4. To consider and appreciate the plea of the petitioners, the Court is inclined to issue notice to opposite party Nos.2 and 3 for a reply and response.



5. Accordingly, it is ordered.
6. Issue notice to opposite party Nos.2 and 3 by Speed Post making returnable at an early date and for the said purpose, requisites shall be filed by Mr. Mishra, learned counsel for the petitioners within seven days from today.
7. List on 11th December, 2025 for final orders.

(R.K. Pattanaik)
Judge

I.A. No.18827 of 2025

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1. Heard.
 2. Instant petition is filed for interim orders.
 3. Considering the submission that there has been no encroachment, hence, the action under Section 254 of the Act is illegal, this Court, as an interim measure, awaiting response from opposite party Nos. 2 and 3 directs that there shall be no coercive action pursuant to Annexure-4 till the next date. It is however, made clear that the petitioners shall not stack any materials in front of the shop room causing inconvenience to the general public to be ensured by opposite party No.3.
 4. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge