



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.34780 of 2025

Ashok Kumar Dash *Petitioner(s)*

Represented By Adv.

Mr. Sukanta Kumar Nayak (2)

-versus-

State of Odisha & Anr. *Opposite Party(s)*

Represented By ASC

Smt. Sarita Moharana

CORAM:

DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

12.12.2025

Order

No.

01.

1. This matter is taken up through hybrid arrangement.
2. The Petitioner has filed this Writ Petition challenging the eviction under Annexure-3 issued by the Tahasildar, Tahasildar, Kanika in Encroachment Case No.105/25-26.
3. Heard learned counsel for the Parties.
4. During course of hearing, learned counsel for the State submits that there is a clear statutory remedy of Appeal available against the notice under Annexure-3 issued by the Tahasildar, Kanika. Hence, the Petitioner should



approach the concerned Appellate Authority by filing appeal.

5. In such view of the matter, this Court is not inclined to entertain the prayer made in this Writ Petition. However, considering the request of learned counsel for the Petitioner, the Petitioner is granted liberty to file an appeal along with a petition for condonation of delay, if any, so also a petition for interim protection before the appellate authority within a period of two weeks hence. In such event, the appellate authority shall conclude the hearing within a period of three month from the date of filing of the appeal.

6. It is further directed that till the appeal is disposed of by the Appellate Authority, no coercive action shall be taken against the Petitioner pursuant to the eviction notice under Annexure-3 issued by the Tahasildar, Kanika.

7. Accordingly, the Writ Petition is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge