



IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No. 8261 of 2024

Khageswar Sahoo

....

Petitioner

Ms. P. Pattanaik, Advocate

-Versus-

**Prangyan Parimita Prusty,
Tahasildar, Derabis, Kendrapara**

**Opposite
Party/Contemnor**

Mr. P.K. Ray, AGA

CORAM:

MR. JUSTICE R.K. PATTANAIAK

ORDER

12.09.2025

Order No.

06.

1. Heard Ms. Pattanaik, learned counsel for the petitioner and Mr. Ray, learned AGA for the State.

2. Perused the compliance affidavit as at Flag-B. An additional affidavit is filed by opposite party/contemnor and the same is at Flag-D. To the said affidavit, an objection was received from the petitioner alleging that there is no such temple and the same is a 'Kotha Ghara', hence, the encroachment is to be removed. Referring to Annexure-D to the additional affidavit at Flag-D, it is submitted by Mr. Ray, learned AGA that a temple is situated near the spot, hence, the encroachment could not be removed. On a reading of Annexure-D, the Court finds that the same to be an application addressed to the opposite party/contemnor regarding the grievance of the local villagers. The Court does not find anywhere if the enquiry has been held properly and such a



conclusion has been reached at. The Court is also of the view that the opposite party/contemnor should instead make a spot visit and submit a report to the Court for further orders. In other words, the Court is not inclined to accept the compliance affidavit and also the additional affidavit filed by opposite party/contemnor.

3. Awaiting such report from the opposite party/contemnor, list this matter on 10th October, 2025 for final orders.

4. A copy of the above order be supplied to Mr. Ray, learned AGA for the State for its onward intimation to the opposite party/contemnor for compliance.

(R.K. Pattanaik)
Judge