

IN THE HIGH COURT OF ORISSA AT CUTTACK
EXP No.11 of 2023

1) Prafulla Mahapatra
2) Dhirendra Kumar Panda

.....

Petitioners

Represented by Adv. –
Mr. Upendra Kumar
Samal, Mr. M. R.
Mohapatra

-versus-

State of Odisha, represented by
Secretary, Revenue and Disaster
Management Department,
Odisha

.....

Opposite Parties

Represented by Adv. -
Mr. Sarathi Jyoti
Mohanty, A.S.C.

CORAM:
REGISTRAR (JUDICIAL)

ORDER
06.05.2026

Order No.

18. Heard Mr. M.R. Mohapatra, learned counsel for the petitioner, decree holder and Mr. S.J. Mohanty, A.S.C.

Perused the execution petition case record and disposed of order of the Hon'ble Court on 10.01.2020 passed in WP(C)(P.I.L) No. 376 of 2020.

Also verified last order sheet dated 15.04.2026. But, compliance affidavit has not been filed by the State Government.

During course of hearing, learned ASC submitted that in W.P.(C)(P.I.L.) No. 376 of 2020 direction was made to the Secretary, Revenue & Disaster Management Department to consider the representation of the petitioners and to take appropriate step for eviction of the encroachers, if any, as per the statutory provisions. And as revealed from the report of the Tahasildar, Sundergarh, the process of eviction is going on and in the process 47

numbers of encroachment proceedings were initiated and evictions were carried out as per law. Similarly, 108 numbers of cases have been settled in favour of eligible persons. The list of those cases has been annexed with the affidavit filed on behalf of the O.P.

On the other hand the learned counsel appearing for the petitioner submitted that case was filed to take step for eviction of encroachment in respect of lands recorded under Khata No. 308 of Sundergarh Town. Though the compliance affidavit has been filed mentioning therein the Khata Numbers and Plot Numbers in respect of which step have been taken for eviction, there is nothing to indicate if any step has been taken to make that particular piece of land free of encroachment.

Heard both sides. Gone through the affidavit as well as the annexures. The learned A.S.C. is instructed to submit as to what compliance was made by Collector, Sundargarh in terms of the observation of Additional Chief Secretary to Government, Revenue & D.M. Department made in Para 12(iii) of his order No. RDM-LRGE-SUN-2025-32179/R&DM dated 26 August, 2025.

Put up this case on 20.05.2026 for submission of compliance report.

Registrar (Judicial)
Lawzima Court