IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 29342 of 2026

CNR No. ODHC010694242026

Dinabandhu Parida ..…... ***Petitioner (s)***

Mr. Maheswar Mohanty, Adv.

-Versus-

State of Odisha & Ors. .. ….. ***Opposite Party (s)***

Mr. Sonak Mishra, ASC

CORAM:
DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

11.09.2026

Order No.

01.

1. This matter is taken up through hybrid arrangement.

2. Heard learned counsel for the parties.

3. In filing this Writ Petition, the Petitioner alleged to be an encroacher has challenged the order of dismissal of the appeal dated 14.08.2026 passed by the learned Sub-Collector, Kamakhyanagar in Encroachment Appeal No.34 of 2026.

4. During course of hearing, learned counsel for the State, at the outset, submits that there is a clear statutory remedy of revision available under the O.P.L.E Act against the impugned order dated 14.08.2026. Hence, the Petitioner should approach the concerned Revisional Authority.

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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, this Court permits the Petitioner to file a revision along with a petition for condonation of delay, if any, so also a petition for interim protection before the concerned Revisional Authority as per the provision under the O.P.L.E Act, within a period of fifteen working days hence. In such event, the said Revisional Authority shall conclude the hearing after providing adequate opportunity of hearing to the parties concerned within a period of three months from the date of filing of the Revision.

6. It is further directed that till the interim application to be filed by the Petitioner is taken up, no coercive action shall be taken against the Petitioner pursuant to the impugned order of eviction dated 20.04.2026 passed by the Tahasildar, Kamakhyanagar.

7. This Writ Petition is, accordingly, disposed of.

8. The certified copy of the impugned orders under Annexures-2 and 4 be returned to the learned counsel for the Petitioner, upon substituting the same with photocopies thereof.

(Dr. Sanjeeb K Panigrahi)
Judge

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