

6. 31.01.2019 Heard Shri P.R. Sutar, learned counsel for the petitioner, Shri N.P. Patra, learned counsel for the opposite party no.3 and Shri U.K. Sahoo, learned Additional Standing Counsel.

Since the impugned order vide Annexure-5 is appealable, this writ petition is not maintainable. On his own submission Shri P.R. Sutar, learned counsel for the petitioner submits that the petitioner has not preferred any such appeal as of now except approached the Collector, Kendrapara by filing a representation. However, considering that the petitioner has not available the appeal remedy and approached this Court directly, this Court permits the petitioner to file an appeal along with an application for condonation of delay and also with an application for interim protection before the appellate authority within two weeks hence.

In the event, the petitioner files appeal along with an application for condonation of delay and also with an application for interim protection within the aforesaid period, the delay shall be condoned and the appeal shall be heard on its own merit.

It is further directed that status quo order granted by this Court earlier shall continue for a period of four weeks hence, within which time, the interim application to be filed by the petitioner, shall be considered and disposed of.

The writ petition stands disposed of accordingly.

Issue urgent certified copy as per rules.

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(Biswanath Rath, J.)

