



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No.9030 of 2024

<i>Durga Shankar Sahoo & Anr.</i>	<i>Petitioners</i> <i>Represented By Adv.</i> <i>Mr. Sankar Prasad Pani</i>
<i>-versus-</i>		
<i>State of Odisha & Ors.</i>		<i>Opposite Parties</i> <i>Represented By AGA</i> <i>Mr. D. Mund</i>

CORAM:
DR. JUSTICE S.K. PANIGRAHI

ORDER
31.08.2024

Order
No.

- 01.
1. This matter is taken up through hybrid arrangement.
 2. In filing this Writ Petition, the Petitioners have sought for a direction from this Court to the Opposite Parties to remove the encroacher from the Government land i.e. Plot No.906 under Khata No.424 as per the representation dated 30.10.2023 submitted before the Collector, Balasore.
 3. Heard learned counsels for the Parties.
 4. Learned counsel for the Petitioners submits that the Petitioners are co-villager, who have approached this Court with a grievance that the one encroacher Opposite



Party No.4, who has encroached the Gochar land i.e. Plot No.906 under Khata No.424 of an Area A0.005 decimal which is used by the Petitioners and the people of the locality for grazing of cows.

5. He further submits that the Opposite Party No.3/Tahasildar, Jaleswar, District-Balasore after receiving the direction from the Opposite Party No.2/Collector, Balasore had made an enquiry and found that there is a concrete building of 280 Sq. ft. in the name of Radha Krishna Club. Despite the report given by the R.I. to the Opposite Party No.3/Tahasildar, Jaleswar, District-Balasore, the said building is still existing in the said plot.

6. Considering the facts and in view of the submission made by the Petitioner, the Opposite Party No.3/Tahasildar, Jaleswar, District-Balasore is directed to take appropriate steps to remove the encroacher from the aforementioned gochar land at the earliest possible preferably within a period of one month from the date of presentation of an authenticated copy of this order. If the Opposite Party No.3/Tahasildar, Jaleswar, District-



Balasore fails to do so it is presumed that he shall be hauled up with contempt.

7. It is directed that no coercive action shall be taken against the Petitioner till the matter is taken up by the Opposite Party No.3/Tahasildar, Jaleswar, District-Balasore.

8. Accordingly, the Writ Petition is disposed of.

(Dr. S.K. Panigrahi)
Judge

Sumitra

Signature Not Verified

Digitally Signed
Signed by: SUMITRA NAYAK
Designation: Jr. Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 01-Sep-2024 12:53:53

