
(2024) 01 OHC CK 0149

In the Orissa High Court

Case No : Writ Petition (C) No. 873 Of 2024

Dhanapati Meher Vs State Of Odisha And Others ?

Date of Decision : 17-01-2024

Acts Referred:

Citation : (2024) 01 OHC CK 0149

Hon'ble Judges : R.K. Pattanaik, J

Bench : Single Bench

Advocate : R.N. Prusty

Final Decision : Disposed Of

Judgement

R.K. Pattanaik, J

1. The matter is taken up for hearing on a Special Notice.
2. Heard learned counsel for the petitioner.
3. Instant writ petition is filed challenging the impugned notice under Annexure-4. In course of hearing, it is revealed that the petitioner had earlier approached this Court in W.P.(C) No.34821 of 2023 disposed of on 19th October, 2023 vide Annexure-1 with a direction to vacate the schedule land within six weeks' from then failing which action to follow suit.
4. At present, learned counsel for the petitioner submits that the petitioner is an elderly person and though he failed to apply the Court for extension of time on expiry of the stipulated period as allowed in W.P.(C). No. 34821 of 2023, in the interest of justice, some more time is necessary or else he would be subjected to immense hardship and prejudice.
5. Though the Court is not inclined to entertain the writ petition but is of the view that in the peculiar facts and circumstances, the petitioner should be allowed further four weeks' time from today as a last chance to vacate the schedule land and till such time, the impugned action pursuant to Annexure-4 should be deferred.

6. Accordingly, it is ordered.

7. In the result, the writ petition stands dismissed, however, with a direction for the petitioner to vacate the schedule land as soon as possible at any time within four weeks' from today and till such time, there shall be status quo maintained. It is also directed that on expiry of the above stipulated period, the authority concerned, namely, opposite party No.5 shall take necessary action in view of Annexure-4.

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