



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8469 of 2026
CNR No.ODHC010196762026

(In the matter of an application under Articles 226 and 227 of the Constitution of India)

Mano Ranjita Behera

....

Petitioner

-versus-

The State of Odisha and others

....

Opposite Parties

Advocate(s) appeared in this case:-

For Petitioner : Ms. R. Behera, Advocate

For Opposite Parties : Mr. T.K. Dash, A.G.A.
Ms. S. Sahoo, Advocate
For O.P. Nos.5 to 7

CORAM: JUSTICE B.P. ROUTRAY

JUDGMENT
17th August 2026

B.P. Routray, J.

1. Heard Ms. R. Behera, learned counsel for the Petitioner, Mr. T.K. Dash, learned Additional Government Advocate for State-Opposite Parties 1 to 4 and Ms. S. Sahoo, learned counsel for Opposite Parties 5 to 7.

2. The Petitioner, widow of late Mohan Behera, has prayed as follows:

“Therefore, it is respectfully prayed that this Hon'ble Court may graciously be pleased to Admit this Writ Petition, issue rule Nisi for calling upon Opp. Parties 5 to 7 especially Opp.



party no.5 for show cause as to why the direction will not be issued for action against culprits (Nalco employees). This Hon'ble Court be pleased to make its rule absolute if the said opp. Parties fail to submit sufficient cause or show insufficient cause and after hearing from the parties, this Hon'ble court may direct in the writ of Mandamus to the Opp. Party No.5 action against culprits (Nalco estate officer) causing nuisance with heavy compensation as per the interest of justice and equity.

This Hon'ble Court be pleased to direct the authority Opp. party no.5 for disposal of the representation dated 23.01.2026 of the petitioner along with the order passed to him by other higher authorities to take appropriate action on 05.02.2026 and 05.03.2026.”

3. The case of the Petitioner is that her late husband was working as a Chargeman at NALCO under Opposite Parties 5 to 7. He died on 14.05.2021 and at the time of his death, the Petitioner along with her husband and other family members were in occupation of NALCO Quarters bearing No.A/229. After death of the husband of Petitioner, as the electricity connection and water supply was disconnected, the Petitioner shifted to Sunderpada, Bhubaneswar locking the doors of Quarters No.A/229 and continued to stay at Bhubaneswar. Subsequently, in December 2023, a FIR was lodged by the Petitioner alleging that the Estate Officer along with other Officers broke opened



Quarters No.A/229 of the Petitioner in their absence and stole valuables therefrom. In this regard, different cases were filed including present writ petition with aforesaid prayers.

4. Opposite Parties 5 to 7, i.e. NALCO authorities, have filed their counter stating that late husband of the Petitioner was discharged from service on 16.02.2011 and thereafter he was no more employee under NALCO authorised to retain Quarters No.A/229. Ms. Sahoo, learned counsel appearing for the Opposite Parties 5 to 7, submits that proceeding under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 was initiated against Petitioner's husband during his life time wherein the order directing evicting the Petitioner was passed vide order dated 30.03.2018 by the Estate Officer in P.P. Case No.01/2011. Pursuant to the said order of eviction, which was never challenged either by the Petitioner or her husband. The husband of the Petitioner was specifically directed to vacate the premises of Qrs. No.A/229, NALCO Nagar and failing the same, the order of eviction shall be effected by use of force, as may be necessary, to evict the Petitioner from the premises.



5. It is stated by Ms. Sahoo, learned counsel for Opposite Parties 5 to 7 that pursuant to the said order of eviction, the execution was effected on 29th March 2018 by the Authorised Officer appointed in this behalf. It is thus submitted that all such allegations levelled by the Petitioner against NALCO and its officials are completely false and misleading. The criminal case lodged by the Petitioner has been ended by submission of Final Form by the Police stating the same as a false case. The copy of Final Form has been produced at Annexure-J/5.

6. Coming to the prayer made by the Petitioner in the present writ petition, it is seen that the Petitioner has sought for action against the Estate Officer of NALCO for payment of compensation on account of forcible eviction of the Petitioner from the premises in her absence, with allegations of theft of valuables. As per the representation of the Petitioner at Annexure-2 concerning the second prayer, the Petitioner has sought for disciplinary action against the Estate Officer.

7. The facts as narrated on behalf of the Opposite Parties do clearly suggest regarding the order of eviction passed by the competent authority directing forcible eviction of the Petitioner from the premises which she or her husband did not obey. The order passed by the Estate



Order dated 30th March 2018 has been passed by the statutory authority in exercise of power conferred as per the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 and therefore, cannot warrant any action against the Estate Officer for passing the order. The Petitioner admittedly has not appealed against the order of eviction as provided under the PP (EUO) Act and thus the eviction of the Petitioner, who did not vacate the possession of the premises pursuant to the order of the Estate Officer, was inevitable. The Police did not find any case on the allegations of the Petitioner and has submitted the Final Form stating it is a false case. Thus, from looking at all angles, no substance remains in the prayer of the Petitioner to initiate any action against the Estate Officer for the alleged action taken as per the law for forcible eviction of the Petitioner from the premises of NALCO.

8. Accordingly, no merit is seen in the prayer of the Petitioner and the writ petition is dismissed.

(B.P. Routray)
Judge

B.K. Barik/A.R.-cum-Senior Secretary