



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33203 of 2026
CNR No. ODHC010795232026

Orissa Metaliks Private Limited ... ***Petitioner***

Mr. R. Mohanty, Sr. Advocate, along with
Mr. A.R. Mohanty, Advocate
-versus-

State of Odisha & Others ... ***Opposite Parties***

Mr. P.K. Mohanty, ASC

CORAM: JUSTICE G. SATAPATHY
ORDER(ORAL)12.10.2026

Order No.

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. The sole grievance as emanates from the submission advanced for the petitioner is for proceeding against him during the pendency of the revision proceeding preferred by him under Annexure-12.
3. Heard Mr. Ramakant Mohanty, learned Sr. counsel who enters appearance along with Mr. Alok Ranjan Mohanty, learned counsel for the petitioner by filing appearance memo which is taken on record and Mr. Prem Kumar Mohanty, learned Addl. Standing Counsel in the matter and perused the record.
4. After having considered the rival submission upon perusal of record, the sole grievance of the petitioner is against issuance of a notice of eviction against him by the Tehsildar in PR No.1716 of 2026 under Annexure-13. In support of the claim for pendency of the revision proceeding, the petitioner has also filed



Annexure-12 to show that he has filed a revision case before the Collector, Jharsuguda, Odisha and another application under Annexure-14 for stay of further proceeding in the matter of eviction pursuant to order passed in original as well as Appeal. It cannot be disputed that the petitioner has got a right to prefer a revision U/S.12 of the Orissa Prevention of the Land Encroachment Act (in short "the OPLE Act"), but without finalizing the revision, the authority concerned may not ordinarily proceed with the eviction, unless there is strong ground and compelling reason to proceed for eviction. It is, however, submitted that the revision application of the petitioner has not yet been registered by giving any number, although it has been filed before the authority concerned on 29.09.2026.

5. Admittedly, the order passed by the Sub-Collector is a revisable order and the petitioner has filed such order passed by the Sub-Collector under Annexure-10 and therefore, the Writ Petitioner has got right to challenge such order in the revision. It is also not in dispute that Annexure-10 was passed on 02.09.2026, but it seems that the authority concerned has issued notice under Annexure-13 to evict the petitioner from the lands in question.

6. In the aforesaid facts and circumstances and on consideration of the documents placed before this Court keeping in view the provision of the OPLE Act, this Court disposes of the Writ Petition by directing OP No.4 to



consider the revision case filed by the petitioner, if any in accordance with law and communicate the result thereof to the petitioner within seven days next thereof. Needless to say, the authority concerned shall register the revision against the impugned order under Annexure-11 (order dated 02.09.2026 passed by Addl. Sub-Collector, Jharsuguda in OPLE Appeal Case No.26 of 2026) and may proceed in the matter to pass appropriate order in accordance with law. This Court, however, clarifies that it has not observed anything on merit.

7. It is made clear that no coercive action shall be taken against the petitioner till a decision is taken there on the stay application of the petitioner under Annexure-14. Annexure-12 & 14 do form part of the order.

(G. Satapathy)
Judge

Jayakrushna

Signature Not Verified

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 12-Oct-2026 19:31:01

