

IN THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE
BENCH, KOLKATA

I.A. NO. 18 /2026

(Arising out of O.A. No.213 / 2025 / EZ)

IN THE MATTER OF:

PROMOD KUMAR HEMBRAM ... Applicant

- Versus -

STATE OF ODISHA AND OTHERS ... Respondents

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CUTTACK

Dt. 20.02.2026

Addl. Govt. Advocate

Sri Sabita Ranjan Pattneik
Addl. Govt. Advocate

Enrollment No - 0-199/1981

mob - 9437028471

Mail - *Sabitatarajan.pat@gmail.com*

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IN THE NATIONAL GREEN TRIBUNAL EASTERN ZONE
BENCH, KOLKATA

I.A No. 18/2026

(ARISING OUT OF O.A, NO. 213/ 2025/EZ)

IN THE MATTER OF:

PROMOD KUMAR HEMBRAM ... Applicant

-versus-

STATE OF ODISHA & Ors. ... Respondents

OBJECTION / REPLY AFFIDAVIT FILED BY
RESPONDENT NO.3 ON BEHALF OF RESPONDENT
NOS.1 TO 3 To The I.A NO-18/2026

I, Gobinda Chandra Biswal, aged about 58 years, S/o. Purna Chandra Biswal, residing at Baripada Dist. Mayurbhanj at present working as Divisional Forest Officer, Baripada Division in the district of Mayurbhanj do hereby solemnly affirm and state on oath as follows:

1. That I am the Respondent No.3 in the O.A. and competent to affirm the present counter affidavit in reply to the Interim Application filed by the applicant. I have gone through the averments made in the present I.A. along with annexures and understood the purport thereof. I have been duly authorised by Opp. Party Nos.1 & 2 to swear this affidavit on their behalf.



Gobinda Chandra Biswal

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KGA
20/2/26

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PRADIP KUMAR MOHANTY
NOTARY, CUTTACK TOWN
REGD.No-04/1995

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2. That the facts stated herein below are true to the best of my knowledge and belief based on records maintained in office.
3. That at the outset, I deny all the allegations, averments and contentions urged in the present I.A. individually and collectively, save and except to the extent specifically admitted by me herein below. Any allegation, averments or contentions not specifically admitted, though not traversed shall be deemed to have been denied.
4. That the Applicant has no cause of action to file this interim application before the Hon'ble Tribunal and the same being otherwise wholly misconceived, is liable to be dismissed.
5. That the Interim Application is misconceived, speculative and based on incorrect facts, for which the Applicant be put to strict proof of the same.
6. That in reply to the averment made in Para-1 of the Interim Application, it is humbly submitted that it is not a fact that around 5000 trees have been felled as against the permitted 1789 trees. It is also not a fact that prior to felling of the trees the government officials have not explored the availability of alternate barren land in the locality. In this context, it is humbly submitted that land

Gobinda Chandras Biswal

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had been identified at different location of Baripada Town i.e. at Mouza: Bijayramchandrapur, Janardhanapur (Near Darogadahi Golei), Indapahi, Laxmiposi & Gobardhansole and Chhancha for ISBT, Baripada. After joint spot enquiry and examination of the reports, these locations were found not suitable on different grounds i.e. religious sensitivity, forest classification, environmental risk, distance from town, lack of access, prior institutional allocation on the proposed sites, safety hazards and financial unviability etc. It is further submitted that Baripada Urban area is surrounded by Sabik Kisam of Jungle land, scheduled tribe land and two rivers causing barrier/obstruction on expansion of Baripada Town as well as developmental projects. After joint field enquiry, threadbare discussion and examination, this proposed land at Mouza: Chhancha (Near NH-18 By-pass) is found utmost suitable and viable location for establishment of ISBT (Inter State Bus Terminal). Hence, the allegation made by the Petitioner in this Para is concocted, after thought and liable to be discarded for the larger interest of public.

7. That in reply to the averment made in Para-2 of the Interim Application it is humbly submitted that it is not a fact that around 5000 trees have been felled as against the permitted 1789 trees.

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REGD.No-ON-04/1995

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As regards service of order dated 06.01.2026 on respondent No.5 & 6 this Respondent needs no comment.

8. That in reply to the averment made in Para-3 of the Interim Application it is relevant to extract below the statutory provisions of "The Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 with amendments made in 1988 and 2023.

As per sub-sec (1) of Sec-1A of the Act the following land shall be covered under the provisions of the Act, namely-

- (a) that has been declared or notified as a forest in accordance with the provisions of the Indian Forest Act'1927 (16 of 1927) or under any other law for the time being in force:
- (b) that is not covered under clause-(a), but has been recorded in Government record as forest as on or after the 25th October,1980.

As per sub-sec(2) of Sec-1A of the Act the following categories land shall not be covered under the provisions of this Act, namely-

- (a) Such forest land situated alongside a rail line or a public road maintained by the Government, which provides access to a habitation, or to a rail, and roadside amenity upto a maximum size 0.10 hectare in each case:
- (b) Such tree; tree plantation or reforestation raised on lands that are not specified in clause (a) or clause (b) of sub-sec (1)



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NOTARY, CUTTACK TOWN
REGD.No-OM-04/1995

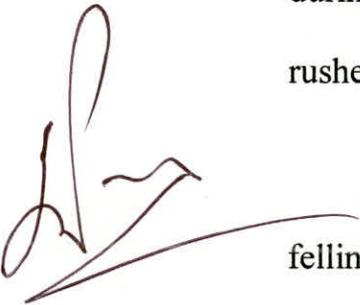
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It is humbly submitted that the proposed land selected for establishment of Inter-state Bus Terminal (ISBT) is a purely revenue non-forest land having kizam (status) "PATITA" recorded under Government Anabadi Khata and the Sabik Kizam of the land is also non-forest. Hence, cannot be ex-facie claimed to be forest land falling within Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

9. That in reply to the averments made in Para-4 to Para-6 of the Interim Application, this respondent vehemently objecting the allegation made by the Petitioner. It is not a fact that during pendency of the present original application respondents are trying to wipe out the evidence of tree felling from the site in question. In this context, it is humbly submitted that some unscrupulous persons might have put the tree cutting area in to fire with an intention to blame the district administration or any person put to fire the remaining felling branches of cutting trees during severe bone-chilling cold wave. However, the Fire Brigade rushed to the spot in time and dowsed the fire.

It is further humbly submitted that the stumps of the all-felling trees are existed on the site without any damage. The

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allegation made by the petitioner against the respondents is false, baseless, fabricated without having any iota of truth, hence liable to be discarded for the interest of justice.

10. That in reply to the averment made in Para-7 of the Interim Application it is humbly submitted that the plea taken by the petitioner citing his representation vide Annexure-3 to the Interim Application against the respondents is baseless, fabricated, afterthought and liable to be discarded. In this context, it is humbly submitted that eviction of unauthorized encroachment from public premises/ government land is being carried at different places of Baripada town under the provisions of the Orissa Public Premises (Eviction of Unauthorized Occupants) Act'1972 and the Orissa Prevention of Land Encroachment Act'1972 for interest of public. The petitioner himself is in unauthorized possession of Forest land at Mouza: Unit No.17, Balarampur, Baripada, therefore, attracts action under the provisions of the Orissa Prevention of Land Encroachment Act'1972. The petitioner has no cause of action to challenge the said action of the Government authorities before this Hon'ble Green Tribunal which is undertaken to protect the government land on the interest of public. However, the Petitioner has already

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filed Writ Petition before the Hon'ble High Court of Orissa in
W.P. (C) No. 4815 of 2026.

**(Copy of Writ Petition in W. P© No. 4815 of 2026 is annexed
herewith as Annexure-H/3)**

11. That in reply to the averment made in Para-8 of the Interim Application it is humbly submitted that the proposed land selected for establishment of Inter-state Bus Terminal (ISBT) is a revenue land having kism (status) "PATIT" (i.e. non-forest) recorded under Government Anabadi Khata and the Sabik Kism of the land is also non-forest. It is clarified that prior to identification and allotment of the proposed site for ISBT, the land was inspected by the State Forest Department and on verification ascertained to be non-forest but covered with vegetation and plantations undertaken by Forest Department creating urban forests with a tree cover of 1789 nos. of trees. For which the Opp. Party No.3, DFO Baripada vide Letter dated 15.12.2025 permitted felling of those trees. The said order has been carried out without any violation and the allegations made in this paragraph are wholly unsupported.

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PRADIPTA KUMAR MOHANTY
NOTARY, CUTTACK TOWN
REGD.No-ON-04/1895

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12. That in reply to the averment made in Para-9 of the Interim Application it is humbly submitted that during the year 2023, land was identified at Mouza- Bijayramchandrapur for establishment of Modern Bus Stand. After establishment of Judicial Complex and Bhanjpur Police Station adjoining to the said land, it was not viable and suitable for establishment of present ISBT. The present revenue land at Mouza-Chhancha has been identified for establishment of Inter State Bus Terminal (ISBT), Baripada is a public utility infrastructure project undertaken after approval of the state government.

13. That in reply to the averment made in Para-10 of the Interim Application it is humbly submitted that the proposed land is a leasable revenue non-forest land situated near N.H by-pass at the entrance of Baripada Town, therefore, considered for establishment of ISBT for the larger interest of public being found suitable from all corners. The allegation made by the petitioner relating to non-inclusion in the Baripada master Plan is wholly extraneous and bears no nexus whatsoever to the Inter State Bus Terminal (ISBT), Baripada project, and is therefore irrelevant for the purpose of adjudication in the present proceeding.

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REGD.No-ON-04/1995

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14. That in reply to the averment made in Para-11 of the Interim Application regarding consultation of Municipality, it is humbly submitted that in fact, prior to selection of the proposed site for establishment of ISBT, a feasibility report was sought for from Baripada Municipality and no objection is received against the proposed site. It is submitted that the proposed land is purely revenue non-forest land and selection of the said land has been undertaken strictly in accordance with the statutory provisions of the Odisha Government Land Settlement Act, 1962 which was comprehensively examined and evaluated by a duly constituted Site Selection Committee and the project has been duly approved by the Commerce & Transport Department of Odisha. Hence, the Petitioner has no cause action to challenge the said action of the Respondents in this forum.

15. That in reply to the averment made in Para-12 of the Interim Application it is humbly submitted that the conception of the petitioner is wholly misconceived and self-contradictory, as the e-Bus Depot is a distinct and independent project undertaken by Capital Region Urban Transport (CRUT) under the Housing & Urban Development Department, Government of Odisha, whereas the Inter State Bus Terminal (ISBT), Baripada is a



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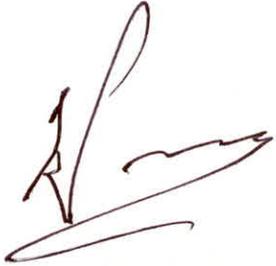
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NOTARY, CUTTACK TOWN
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separate project being implemented by the Odisha State Road Transport Corporation under the Commerce & Transport Department, Government of Odisha. Both projects are administratively, functionally and jurisdictionally distinct, and therefore cannot be equated or treated as interchangeable. Establishment of both the proposed e-Bus Depot and ISBT at one place will create traffic congestion, therefore is not feasible for establishment of ISBT for the interest of public.

16. That in reply to the averment made in Para-13 of the Interim Application it is humbly submitted that after receipt of tree felling order, OFDC had taken steps to fell the 1789 of marked trees over the selected 05 acres of revenue land. In this context, it is humbly submitted that the Respondent No.2 i.e. Collector & District Magistrate, Mayurbhanj has only to select the suitable land as per requisition filed by the User Agency and to process the alienation proposal for eventual settlement of the selected land in favour of the user agency i.e. Commerce & Transport Department, Government of Odisha. The allegation claiming available of 7000 trees over the selected 05 acre of land is not based on actual fact, wholly baseless, unfounded and devoid of any substantive evidence, only surmise. In this context,



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NOTARY, CUTTACK TOWN
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it is submitted that an official enquiry has also been conducted pursuant of the direction of the Collector, Mayurbhanj.

17. That in reply to the averment made in Para-14 to Para-16 of the Interim Application it is humbly submitted that in fact the land identified for establishment of Inter-state Bus Terminal (ISBT) was placed before the District Site Selection Committee meeting held on 12.02.2025. After examination of the status of land and threadbare discussion, considering public safety, revenue feasibility, statutory compliance, urban planning norms and long-term public interest, the committee unanimously resolved that the proposed revenue land is the most suitable, viable and last available government land source for the construction of Inter State Bus Terminal (ISBT), Baripada. Hence, the allegation/assertions made by the petitioner in this regard is devoid of merit.

Gebrade Chandoz Biswal

 18. That in reply to the averment made in Para-17 of the Interim Application it is humbly submitted that the letter referred vide Annexure-8 to the Interim Application is self-explanatory in nature, as it merely invites probable stake-holders to attend a meeting seeking consultation by the Regional Transport Officer,


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Mayurbhanj. The said letter does not confer any statutory approval, sanction, or decision, nor does it create any legal right or obligation beyond the limited purpose of convening the meeting. The petitioner has no locus-standee to give suggestion citing the said letter, which is liable to be discarded.

19. That in reply to the averment made in Para-18 of the Interim Application it is humbly submitted that joint enumeration by the officials of D.F.O, Baripada, OSRTC, Baripada OFDC, Baripada and Tahasildar, Baripada was conducted. Counting and numbering of trees were made as per rule. Geo Tagged Photography has also been made prior to felling of 1789 nos of identified miscellaneous trees over the proposed land and also after felling of the trees. Thereafter, the said numbers of trees have been felled and shifted. The allegation made in this paragraph is wholly baseless, unfounded and devoid of any merit.

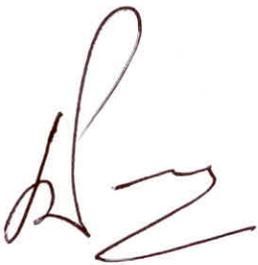
(Copies of the photographs with longitude, latitude and date showing counting and numbering of trees are annexed herewith as ANNEXURE-J/3 series.)


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Gobinda Chandra Biswal ✓

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20. That in reply to the averment made in Para-19 of the Interim Application it is humbly submitted that identification and selection of suitable site for any developmental purpose is being carried out by the revenue authorities observing all formalities under the provisions of the Odisha Government Land Settlement Act, 1962 and rules thereunder. Accordingly, the proposed site at Mouza- Chhancha of Baripada has been selected following due procedure under the provisions of the said Act, which has been duly approved by the competent revenue authorities. The proposed land is adjacent to N.H-18 ensuring smooth ingress and egress for inter-state and intra-state buses, which is located approximately 2 Km from District Head Quarter Hospital/ Baripada main town, 0.5 KM from Baripada Railway Station, 0.5 KM from proposed CRUIT Bus Stand, approximately 4 KM from existing Collectorate & District Judicial Court building and 3.5 Km from new Judicial Complex under construction and proposed new Collectorate, Sub-Collector and Tahasil Office building. Since the proposed site has been selected observing all formalities, therefore, the Petitioner has no cause of action to propose alternate site for the said purpose.



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NOTARY, CUTTACK TOWN
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21. That the facts/ averments/assertions made in the interim application which are not specifically admitted by this Respondent are deemed to be denied and further, this Respondent craves leave to submit further Affidavit, if necessary, at the time of hearing.

22. That in view of the facts stated above, the present petition and the reliefs sought therein do not fall within the ambit or jurisdiction of the National Green Tribunal Act' 2010, as the same do not disclose any violation of the enactments specified under Schedule-I of the said Act, and therefore the application is not maintainable before this Hon'ble Tribunal.

23. That it is humbly submitted that the present application appears to have instituted with oblique and extraneous considerations, with the apparent intent to stall a bona-fide public utility project of significant public importance. The conduct of the petitioner indicates mala-fide motives rather than any genuine environmental concern. In such circumstances, and in the absence of any prima facie case of statutory violation, no order of status quo to be granted by this Hon'ble Tribunal for the larger interest of public.

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PRADIP KA KUMAR MOHANTI
NOTARY, CUTTACK TOWN
REGD.No-ON-04/1995

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24. That the facts stated above are true to the best of my knowledge and belief and based on official records.

VERIFICATION

I, Gobinda Chandra Biswal, aged about 58 years, S/o. Purna Chandra Biswal, residing at Baripada Dist. Mayurbhanj, at present working as Divisional Forest Officer, Baripada Division in the district of Mayurbhanj, Odisha (Respondent No.3), do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge as derived from official records and that nothing material has been concealed therefrom.

I sign this verification being present in our Advocate's Chamber at Cuttack on this 20th day of February, 2026.

Identification of
Gobinda Chandra Biswal
20/2/26 AGA
VERIFICANT
Divisional Forest Officer,
Baripada Forest Division.

Solemnly affirmed before me by Shri Gobinda Chandra Biswal, who is identified before me by Shri Sabita Ranjan Pattnaik, Addl. Govt. Advocate, Orissa High Court, Cuttack.

Prady
20/02/2026

PRADIPTA KUMAR MOHANTI
NOTARY, CUTTACK TOWN
REGD.No-ON-04/1995

NOTARY PUBLIC, CUTTACK

Certified that Cartridge papers are not available.

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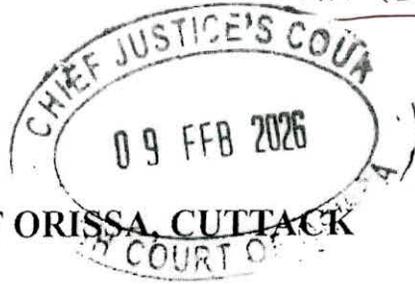
DATE:.. 20.02.2026.

[Signature]
Addl. Govt. Advocate



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ANNEXURE 1/3 222



IN THE HIGH COURT OF ORISSA, CUTTACK
(ORIGINAL JURISDICTION CASE)



WP (C) NO. 4815 OF 2026

Code No.: 201100

IN THE MATTER OF:

Pramat Kumar Hembram @ Pramod Kumar Hembram @ Promad
Kumar Hembram Petitioner.

VERSUS

The Collector, Mayurbhanj and Another Opposite Parties

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True Copy
Attested

Gobinda Chandra Biswal
Divisional Forest Officer
Baripada Forest Division

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	mother.	
7.	<u>ANNEXURE-3</u> Notice dated 27.01.2026 issued under Section 9 of the Odisha Prevention of Land Encroachment Act, 1972 to the Petitioner.	- 11 -
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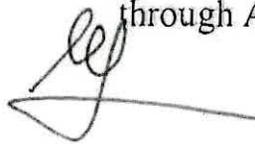
By the petitioner

SIDDHI SADHAN PATI

(0-228/2022, 8327762260)

through Advocate

Date: 09.03.2026



**True Copy
Attested**

Gobinda Chandra Biswal

**Divisional Forest Officer,
Baripada Forest Division.**

APPENDIX-ASYNOPSIS

The present suit is filed by the Petitioner, the Petitioner is a farmer, residing at Village Bijayramchandrapur, under Baripada, Dist - Mayurbhanj, who has come with this writ application challenging the order of an eviction under OPLE Act and has been issued Form - ~~K~~ dated 27.01.2026 and Form-~~K~~ dated- 03.02.2026 under the said rule from the Land Measuring Khata No.332, Plot No.31, area Ac.0.1000 decs ,situated Mouza - Unit-17, Balarampur, Baripada, Dist-Mayurbhanj. The Petitioner is residing at his ancestral house which has been constructed by his forefathers. The Petitioner does not have any other land and for several decades he resides under a small roof and rest of the land is used for cultivation and thus the Petitioner is staying with his family in peaceful and continuous possession of the said land. The land is recorded as "Jangal Jami" under the Government of Odisha. the above initiation of proceeding under OPLE Act, 1872 vide is not only erroneous but also violates the principle of natural justice as no opportunity of hearing was given to the petitioner and also the eviction of order was passed without appreciating the fact as the petitioner residing there in the house and is cultivating a portion of the land in order to meet his livelihood from his childhood as the house was constructed by his forefathers. Such violation of principle of natural justice and issuance of such eviction order under OPLE Act, 1972 has harassed the Petitioner and finding no other alternative and effective remedy immediately raise before this Hon'ble Court invoking its extra ordinary jurisdiction under Article 226 and 227 of the Constitution of India by filing this Writ Application.


Adl v .

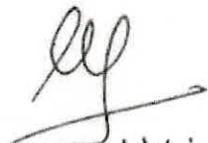
**True Copy
Attested**

Gobinda Chandra Biswal

**Divisional Forest Officer,
Baripada Forest Division.**

APPENDIX-BDATE CHART

<u>12.09.2017:</u>	Rent Receipt issued by Baripada Municipality in the name of Petitioner's mother.
<u>25.08.2020:</u>	Rent Receipt issued by Baripada Municipality in the name of Petitioner's mother.
<u>05.05.2025:</u>	The electricity bill was generated in the in the name of Petitioner's mother.
<u>27.01.2026:</u>	Petitioner was issued a notice(Form [✓] K) under Section 9 of the O.P.L.E Act.
<u>03.02.2026:</u>	Petitioner filed a reply to the notice dated 27.01.2026.
<u>03.02.2026:</u>	Petitioner was issued a notice(Form [✓] K1A) under Section 9/7(1) of the O.P.L.E Act.


AdV.

**True Copy
Attested**


**Divisional Forest Officer,
Baripada Forest Division.**



IN THE HIGH COURT OF ORISSA, CUTTACK
(ORIGINAL JURISDICTION CASE)

WP (C) NO. 4815 OF 2026

Code No.: 201100

IN THE MATTER OF:

An application under Article 226 & 227 of the Constitution of India;

AND

IN THE MATTER OF:

An application challenging the illegal order of eviction under Orissa Prevention of Land Encroachment (OPLE), Act, 1972.

AND

IN THE MATTER OF:

Pramat Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram, aged about – 58 years, S/o – Kshetri Charan Hembram, Resident of Vill – Ward No-17, Bijayramchandrapur, Baripada, PO- Bhanjpur, Dist – Mayurbhanj, Odisha-757002.

.....Petitioner

Versus

1. The Collector, Mayurbhanj, At/Po- Baripada, Dist.- Mayurbhanj, Pin-757001
2. The Tahasildar, Baripada, At/Po- Baripada, Dist.- Mayurbhanj, Pin-757001

True Copy
Attested

.....Opposite Parties

Byomakesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd. No-26/2018

Golanda Chandoz Bishwal
Divisional Forest Officer,
Baripada Forest Division.

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The matter out of which this writ application arises was never before this Hon'ble Court in any form whatsoever as per the information furnished by the petitioner.

To,

The Hon'ble Chief Justice, Orissa High Court & His Lordships
Companion Justices of the said Hon'ble Court.

The Humble petition of the
petitioner above named;

MOST RESPECTFULLY SHEWETH:-

1. That, the Petitioner is a farmer, residing at Village Bijayramchandrapur, under Baripada, Dist -Mayurbhanj, who has come with this writ application challenging the order of an eviction under OPLE Act and has been issued Form -K dated 27.01.2026 and Form-Kha dated- 03.02.2026 under the said rule from the Land Measuring Khata No.332, Plot No.31, area Ac.0.1000 decs ,situated Mouza - Unit-17, Balarampur, Baripada, Dist- Mayurbhanj.
2. That, the Petitioner is residing at his ancestral house which has been constructed by his forefathers who are Schedule Tribes. The Petitioner does not have any other land and for several decades he resides under a small roof and rest of the land is used for cultivation and thus the Petitioner is staying with his family in peaceful and continuous possession of the said land. The land is recorded as "Jangal Jami" under the Government of Odisha. The Xerox Copy of the rent receipt is annexed herewith and marked as **ANNEXURE - 1(Series)**.
3. That, the Petitioner and his family members have been in uninterrupted, peaceful, and open possession of the said land for more than eighty (80) years, i.e., since 26.01.1945, constructing their house

Adm.

Gyomakesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd.No-66/2018

True Copy
Attested
Gobinda Choudhary
Divisional Forest Officer,
Baripada Forest Division,

thereupon and residing continuously without any interruption or obstruction from any quarter. The Xerox copy of the electricity bill in the name of petitioner's mother is annexed herewith and marked as ANNEXURE-2.

4. That, the Petitioner's mother had been in possession of the said land since 1945, and after his demise, the Petitioner has continued in such possession peacefully. Thus, the Petitioner, being in open, continuous, and uninterrupted possession for more than the statutory period, has perfected his title over the suit land through adverse possession, and any right, title, or interest of the Government, if any, stands extinguished under the Limitation Act, 1963.
5. That, the Petitioner was served with a notice purportedly issued under Section 9 of the Odisha Prevention of Land Encroachment Act, 1972, seeking show cause reply of unauthorized occupation over the said land and directing him to vacate the same is annexed hereby and marked as ANNEXURE-3.
6. That, the Petitioner has filled a show cause reply to the notice dated 27.01.2026 on 03.02.2026 said reply is annexed and marked herewith as ANNEXURE-4.
7. That, thereafter the Petitioner was served with a notice purportedly issued under Section 9/7(1) of the Odisha Prevention of Land Encroachment Act, 1972, on 03.02.2026, alleging unauthorized occupation over the said land and directing him to vacate the same. The said notice has been issued without conducting any hearing in presence of the petitioner, which is in gross violation of the principles of natural justice. The Xerox Copy of the Notice u/s – 9/7(1) of the OPLE, Act, 1972 is annexed herewith and marked as ANNEXURE – 5.

Adm.

Byomkesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd.No-C5/2018

True Copy
Attested

Gobinda Chandra Biswal
Divisional Forest Officer,
Baripada Forest Division.

8. That, the above initiation of proceeding under OPLE Act, 1872 vide **ANNEXURE-5** is not only erroneous but also violates the principle of natural justice as no opportunity of hearing was given to the petitioner and also the eviction of order was passed without appreciating the fact as the petitioner residing there in the house and is cultivating a portion of the land in order to meet his livelihood from his childhood as the house was constructed by his forefathers. Such violation of principle of natural justice and issuance of such eviction order under OPLE Act, 1972 has harassed the Petitioner and finding no other alternative and effective remedy immediately raise before this Hon'ble Court invoking its extra ordinary jurisdiction under Article 226 and 227 of the Constitution of India by filing this Writ Application with a prayer to quash the eviction order under **ANNEXURE – 5** which may be allowed for the ends of justice.

PRAYER

It is prayed therefore that this Hon'ble Court may be graciously pleased to:

- i) Admit this writ application;
- ii) Issue Rule NISI, calling upon the Opposite Parties to show cause as to why the impugned order dt. 03.02.2026 (Annexure-5) shall not be quashed and the writ petition shall not be allowed;

And if the Opposite Parties do not show cause or show insufficient cause the rule be made absolute;

And may further be pleased to pass any other writ/writs, order/orders, direction/directions as this Hon'ble Court deem fit and proper for the interest of justice;

Adm.

Byomkesh Mishra
Notary, Cuttack Town
Govt. of Odisha
Regd.No-C6/2018

**True Copy
Attested**

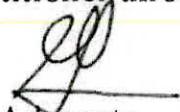
Gobinda Chandra Biswal
**Divisional Forest Officer,
Baripada Forest Division.**

And for this act of kindness the petitioner as in duty bound shall ever pray.

Cuttack

By the petitioner through

Dt - 09.02.2026

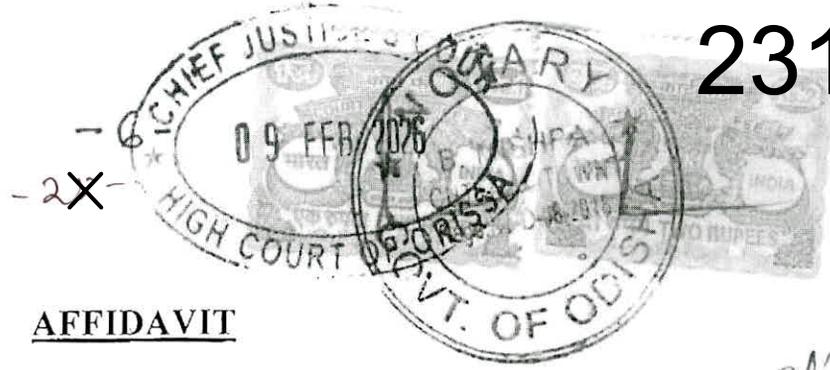

Advocate


Byomkesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd.No-C6/2018

**True Copy
Attested**

Gobardo Choudhary Barwal

**Divisional Forest Officer,
Baripada Forest Division.**



8674

AFFIDAVIT

IN THE HIGH COURT OF ORISSA, CUTTACK

1. Name- Pramod Kumar Hembram @ Pramod Kumar Hembram @ Promod Kumar Hembram, aged about 58 years, At- Ward No-17, Bijayramchandrapur, Baripada, PO- Bhanjpur, Dist.-Mayurbhanj, Odisha-757002.
2. Father's Name – Kshetri Charan Hembram
3. Occupation- Farming.
4. Number of proceedings pending in the High Court or would be instituted – No
5. Statement of facts – As stated in the afore-mentioned Writ Petition.
6. That the facts stated above are true to the best of my knowledge and belief.

DECLARATION

I, Mr. Pramod Kumar Hembram @ Pramod Kumar Hembram @ Promod Kumar Hembram, the Petitioner, do hereby solemnly affirm and state as follows: -

1. That, I am the Petitioner in the above Writ Petition.
2. That, the facts stated in paragraph 1 to 8 above are true to the best of my knowledge and belief and based on records.

**True Copy
Attested**
Girish Chandra Biswal
Divisional Forest Officer,
Baripada Forest Division.

IDENTIFIED BY
SIDDHI SADHAN PATI
(0-228/2022, 8327762260)
ADVOCATE

Pramod Kumar Hembram
DEPONENT



Byomakesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd. No-06/2018

-7- -X/6-

Solemnly affirmed by me by Mr. Pramat Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram, who is identified before me by SIDDHI SADHAN PATI, ADVOCATE, whom I personally know.

This is the 9th day of February, 2026.

Byomakesh Mishra
Byomakesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd. No. 05/2018

OATH COMMISSIONER/ NOTRARY PUBLIC, CUTTACK.

ADVOCATE 

(SIDDHI SADHAN PATI)

Enrollment No. O-228/2022

Mobile No. 8327762260

CERTIFICATE

Due to non-availability of cartridge papers thick white paper has been used. It is undertaking that the petitioners will file a translated copy of Odia annexures as when required by this Hon'ble Court.


Advocate

**True Copy
Attested**

Gobinda Chandra Biswal

**Divisional Forest Officer,
Baripada Forest Division.**



ଚାଷୀଙ୍କ ରସିଦ୍
 ରସିଦ୍ ନଂ : 758
 ଓ.ଏମ୍. (୧୧୮ ନିୟମ)
 ଓ.ଏମ୍. ନଂ : 17
 ରସିଦ୍ ନଂ : K 15788
 ଓ.ଏମ୍. ନଂ : 167
 ବିକ୍ରୟ ବାତାଳ ନାମ Smt. Sapalwati Hembaram

ନିମ୍ନଲିଖିତ ବିଷୟ ବିବରଣୀ ଅନୁଯାୟୀ ମ୍ୟୁନିସିପାଲିଟି ବିକ୍ରୟ ପାଇଁ ଟଙ୍କା 400/- (ଚାର ଶହ ଟଙ୍କା) ବୃତ୍ତି ପାଇବୁ ।

ପୁରୁଣା ବାକି	ପରିମାଣ	ପୂର୍ବବର୍ଷ				2017-18 ବର୍ଷ				ମୋଟ ପରିମାଣ
		୧ମ ଚିନିମାସ ପରିମାଣ	୨ୟ ଚିନିମାସ ପରିମାଣ	୩ୟ ଚିନିମାସ ପରିମାଣ	୪ର୍ଥ ଚିନିମାସ ପରିମାଣ	୧ମ ଚିନିମାସ ପରିମାଣ	୨ୟ ଚିନିମାସ ପରିମାଣ	୩ୟ ଚିନିମାସ ପରିମାଣ	୪ର୍ଥ ଚିନିମାସ ପରିମାଣ	
କମି ବିକ୍ରୟ										
ହୋଇଛି ବିକ୍ରୟ						54	54	54	54	216
ପାଇଖାନା ବିକ୍ରୟ										
ପାଣି ବିକ୍ରୟ						15	15	15	15	60
କର୍ମମା ବିକ୍ରୟ										
ଆଇସ ବିକ୍ରୟ						31	31	31	31	124
ବ୍ୟବସାୟ ବିକ୍ରୟ										
ଶିକ୍ଷା ବିକ୍ରୟ										
ପରଖା ଫିସ										400/-

ମୋଟ ଟଙ୍କା ଅସରଣ 600/-
 ତା 12/11/17 ଏକକିନ୍ଦୁବିଭ ଅଫିସର, ବାରିପଦା ମ୍ୟୁନିସିପାଲିଟି

Handwritten signature

Adv.
T. C. Attested.

**True Copy
Attested**
 Gibraltar Choudhary Biswas
 Divisional Forest Officer,
 Baripada Forest Division.



ପଞ୍ଜୀକୃତ ରସିଦ୍
 ରସିଦ୍ ନଂ: 35
 ଶ୍ରେଣୀ ନଂ: 17
 ଚିକିତ୍ସା ଦାତାଙ୍କ ନାମ: Saradamba Mahapatra
 ଫୋଲଡ଼ିଂ ନଂ: 167

୧ମ ନକଲ
 ୧୧୮ ନିୟମ)
 ରସିଦ୍ ଫର୍ମ
 ହୋଲଡ଼ିଂ ନଂ: 167

ନିମ୍ନଲିଖିତ ବିଷୟ ବିବରଣୀ ଅନୁଯାୟୀ ମ୍ୟୁନିସିପାଲିଟି ଚିକିତ୍ସା ପାଇଁ ଟ. (ଅକ୍ଷରରେ) ବୁଝି ପାଇବୁ।

ପୁରୁଣା ବାକି	ମିଆଦ	ପରିମାଣ	ପୂର୍ବବର୍ଷ 380				ଚଳନ୍ତି ବର୍ଷ				ମୋଟ ପରିମାଣ
			୧ମ ଚିକିତ୍ସା ପରିମାଣ	୨ୟ ଚିକିତ୍ସା ପରିମାଣ	୩ୟ ଚିକିତ୍ସା ପରିମାଣ	୪ର୍ଥ ଚିକିତ୍ସା ପରିମାଣ	୧ମ ଚିକିତ୍ସା ପରିମାଣ	୨ୟ ଚିକିତ୍ସା ପରିମାଣ	୩ୟ ଚିକିତ୍ସା ପରିମାଣ	୪ର୍ଥ ଚିକିତ୍ସା ପରିମାଣ	
କମି ଚିକିତ୍ସା											
ହୋଲଡ଼ିଂ ଚିକିତ୍ସା											
ପାଠ୍ୟାଳୟ ଚିକିତ୍ସା											
ଆରୁଥ ଚିକିତ୍ସା											
ନର୍ସିଂ ଚିକିତ୍ସା											
ପାଣି ଚିକିତ୍ସା											
ବ୍ୟବସାୟ ଚିକିତ୍ସା											
ଶିକ୍ଷା ଚିକିତ୍ସା											
ପରଖା ଫିସ											
											380

ମୋଟ ଟଙ୍କା ଅକ୍ଷରରେ ୨୫୪୨୦
 ଟ. ୨୫୪୨୦
 ଏକକିନ୍ଦୁପିତ ଅତିସ୍ୱଳ୍ପ, ବାରିପଦା ମ୍ୟୁନିସିପାଲିଟି
 ଚିକିତ୍ସା କର୍ତ୍ତାଙ୍କୁ

Adv.
 T.C. Attested.

**True Copy
 Attested**
 G. Chandor Bishwal
 Divisional Forest Officer,
 Baripada Forest Division.

-10-
-29-

Disconnection Notice

Notice No: N011CE634
Date: 16-01-2026 11:41
Consumer No: 521112020213
Name: SMT. SARADHATI HEMBRAM
You have outstanding amount of Rs.24489.00 towards electricity dues as on 16-01-2026 11:41. Please ensure payment within 15 days from today failing which supply to your premises will be disconnected without further notice as per section 50(1) of Electricity Act 2003. If you kindly inform our Call Center 1912 and remove this notice.

PLEASE THIS NOTICE FOR ANY PART OF DEMAND IF ANY STAY ORDER BY ANY STAY ORDER BY ANY ORDER/AGRM IS OPERATIVE FOR THAT PART OF DEMAND. This is computer generated notice so no signature required

Please Pay Current Due Along With Arrear To Avoid Disconnection For Billing Information And Online Payment. please visit www.tnodi.com

Cut Here

1PHDDL
JP Northern
India Distribution Ltd.

DISCONNECTION NOTICE FOR BILL OF SUPPLY FOR ELECTRICITY

UNIT NO: 521112020213
DT: 16-01-2026 11:41
DIV: DEO BARIPADA
SUB DIV: SDO BARIPADA
SIC: FSD BARIPADA NO-11

SC. NO : 521112020213
A/C NO : 11261001409
CAT : LT-DOM
AV.SD : 652.5
OLD AC. NO: D2A224
MCB. NO : 9439195424

EMAIL :
NAME : SMT. SARADHATI HEMBRAM
ACBR : BALARAPUR
BARIPADA
LOAD: 2.0KW PH:1

MTR NO : LN137896
OWNERSHIP: SELF
MTR RENT COUNT: 0/60
B MDI: 2.68
MDI: 2.4 MF: 1.0
READING DATE STATUS (T)
CURR: 33856 18-01-26 U
PREV: 33470 13-12-25 U
BILL UNIT: 386
BASIS: ACTUAL
BILL DAYS : 34.0
NO. OF MONTH: 1.0
(S) RD DT/SIS: 13-12-25/U

BILL SLABS
50.00 * 2.9 = 145.000
150.00 * 4.7 = 705.000
186.00 * 5.7 = 1060.200

ENERGY CHG : 1910.2
FIXED CHGS : 60.0
METER RENT : 0.0
ELEC. DUTY : 76.41
CURR. AMT : 2046.81
DPS :
ARR/ ADV : 22481.15
PROV ADJ :
-(0.00*0.00) = -(0.00)

Bill Rev Adj : 0.00
MISC AMT : 0.00000
TOTAL BILL : 24527.00
PROFIT REBT : -(38.60)
RURAL REBT : -(10.00)
BEF. REBT DT : 24489.00
DIO REBT : -(177.26)
ONE TMC CURR. BL
BY DUE DT : 1930.75
AFT. REBT DT : 24527.00
REBT DT : 27-01-2026
DISC DT : 31-01-2026

OTHER PAYABLE AMT:
ENF. BILL : 0.0
ENF. BILL NG : 0
DISPUTED AMT: Rs 0.0
ASP CLAIMED : 4445.00

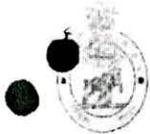
LAST PAYMENT DETAILS:-
AMT: 72330.00
DATE: 05-MAY-2025

Notes Reader Name: LAKSHMI TEJARI
C.E)
Notes Reader NO: 7812082588

Contact Us :
1912/1800-345-6710


Adv.
T.C. Attested.

True Copy
Attested
Gobinde Chandoz Biswal
Divisional Forest Officer,
Baripada Forest Division.



PR No 130/2026

Tahasildar, Baripada କ କାର୍ଯ୍ୟାଳୟ, ବାରିପଦା ଚଢ଼ସିଲ

ଜବରଦଖଲ ମାମଲା ନଂ 4-41/2026 ଫରମ 'କ' == ପରଖାନା ନଂ ==

ଏମ ଧାରା ଅନୁଯାୟୀ ଗୋଟିଏ (ଆଇନ) ଦସ୍ତବ୍ୟ

1. ପ୍ରାପ୍ତେଷୁ, ଅନାବାଦୀ
- 2 ପ୍ରାପ୍ତେଷୁ, Pramat Kumar Hembram Son of Kshetri Charan Hembram,

କ୍ଷେତ୍ରକୁ ପ୍ରତିତ ହେଉଅଛି ଯେ, ଆପଣ ନିମ୍ନ ଚଢ଼ସିଲରେ ଦର୍ଶାଯାଇଥିବା ଭୂମିକୁ ବିନାକୁମ୍ଭଟିରେ ଦଖଲ କରିଛନ୍ତି । ଆପଣଙ୍କର ପ୍ରତି ଏତଦ୍ୱାରା ଏହି ଆଦେଶ ହେଉଅଛି ଯେ, ଆପଣ ସ୍ୱ କିମ୍ବା ଆପଣଙ୍କର କ୍ଷମତା ପ୍ରାପ୍ତ ପ୍ରତିନିଧିଙ୍କ ଜରିଆରେ ତା 03/02/2026 ରିଖ ସମୟ 11:00 ରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ସମ୍ମୁଖରେ ହାଜର ହୋଇ ଓଡ଼ିଶା ପ୍ରିଭେନସନ ଅଫ ଲ୍ୟାଣ୍ଡ ଏନକ୍ୱୋଚମେଣ୍ଟ ଆକ୍ଟ ୧୯୭୭ ମସିହା ୪ ଏବଂ ୭ ଧାରା ଅନୁଯାୟୀ କାର୍ଯ୍ୟ ଆପଣଙ୍କ ପ୍ରତି କାର୍ଯ୍ୟନୁଷ୍ଠାନ ଗ୍ରହଣ କରାଯିବ ତାହାର କାରଣ ଦର୍ଶାଇବେ ।

ତଫସଲି

ଗ୍ରାମ,ଆଦା ଓ ଜିଲ୍ଲାର ନାମ	ଖସଡା,ଖାତା ନଂ, ପ୍ଲଟ ନଂ	କିସମ	ପଟା ଦତ୍ତ, ମୁତାବକ ସମୁଦାୟ, ଜମିର ପରିମାଣ	ବିନାକୁମ୍ଭଟିରେ ଦଖଲ କରିଥିବା ଜମିର ପରିମାଣ	ଦଖଲ ଜମି କି ପ୍ରକାର ବ୍ୟବହାର ହୋଇଅଛି
ଭୁବନେଶ୍ୱର ନଂ-17 ବଳରାମପୁର ବାରିପଦା ମଧୁରଭଞ୍ଜ	332, 31	ରଜଲ	0.1000	0.1000	

Tahasildar, Baripada
TAHASILDAR
BARIPADA

True Copy Attested

Gobardo Chandra Biswal
Divisional Forest Officer,
Baripada Forest Division.

[Signature]
 Adv.
 T.C. Attested.

IN THE COURT OF TAHASILDAR BARIPADA

Encroachment Case No. 4-41 /2026

State

Vrs

Promad Kumar Hembram Opp party.

Ref: Notice issued vide PR No.130/2026

A Memo filed on behalf of Sri Promad Kumar Hembram
S/O Kshetri Charan Hembram Of village- *Bijayrangchandaपुर*
W. NO 17. Baripada.

1. That from the Notice referred to above it reveals that the above mentioned Encroachment case is initiated against me and I have been served with a notice U/S 9 of the OPLE Act, 1972 in Form No. KA' where in I have been directed to submit my show cause replies as to why action u/s 4 & 6 of the OPLE Act, 1972 shall not be taken against me due to encroachment of a piece of Govt. land measuring Ac.0.1000 Dec situated in Mouza, Unit No 17 Balarampur, Baripada.Mayurbhanj.
2. That here I may state that in the said notice no separate specification as to the Plot No. & Khata No. PS and PS number are given. Thus I am at a loss to understand which one is the Specific Plot No. & which one is the Specific Khata No.
3. That, in addition to above copy of the enquiry report submitted by the R.I concerned in Form No. G as required u/r.3(i) of OPLE Rules, 1985 is not supplied to me for which I am in dark to know

**True Copy
Attested**

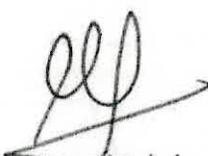
Gebande Chandoz Borsud
**Divisional Forest Officer,
Baripada Forest Division.**

Adv.
T.C. Attested.

about other details which are reported by the R.I. This is the reason. I am at a dilemma to put in my show cause replies in proper way.

In the above backdrop I may pray to kindly supply me with a copy of the enquiry report submitted by the R.I in Form No. G' and at the same time I may kindly be supplied with the information about the specific Plot No. Khata No. etc which is reported by the R.I to have been encroached by me


Promad Kumar Hembram 03-02-26


Adv.
T.C. Attested.

**True Copy
Attested**
Gyabade Chandra Bispal
Divisional Forest Officer,
Baripada Forest Division.

PR No 212/2026 - 14 - 3

ANNEXURE 5
239

4-41/2026

ଜମି ସୂଚୀ ପତ୍ର ନମ୍ବର
ତାରିଖ: 03/04/2026

Schedule XIV--Form No. 932



ଫାରମ 'ଖ'

9/7(1) ଧାରା ଅନୁଯାୟୀ ନୋଟିସ (OPLE Act 1972)

[ନିୟମ 6 (1) ଦ୍ୱାରା]

ନାମ Pramath Kumar Herbaran, S/o - Kshetri Charan Herbaran
ଠିକଣା Unit No-12, Balarampur

ଯେହେତୁ ବିଧିବଦ୍ଧ ଅନୁସନ୍ଧାନ ପରେ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କର ଏହା ପ୍ରତ୍ୟକ୍ଷ ହୋଇଅଛି ଯେ, ଆପଣ ନିମ୍ନ ତଥ୍ୟରେ ଉଲ୍ଲେଖ କରିଥିବା ସରକାରୀ ଜମିକୁ ବିନାମୁଦ୍ରିତରେ ଦଖଲ କରିଅଛନ୍ତି । ଏତଦ୍ୱାରା ଆପଣଙ୍କୁ ଏହି ନୋଟିସ ଦିଆଯାଇଅଛି ଯେ, ଆପଣ ଉକ୍ତ ନୋଟିସ ପାଇବାର ୩୦ଦିନ ମଧ୍ୟରେ ଅବରୋଧ କରିଥିବା ପ୍ରୋକ୍ତ ଜମିରୁ ଅପସରି ନଗଲେ ଆପଣଙ୍କୁ ଉକ୍ତ ଜମିରୁ ସମ୍ପୂର୍ଣ୍ଣ ରୂପେ ବେଦଖଲ କରି ଦିଆଯିବ ଏବଂ ସେ ଜମିରେ କରାଯାଇଥିବା ଶସ୍ୟ କିମ୍ବା ଅନ୍ୟ କୌଣସି ଫସଲ ତଥା ସେଥିରେ, ନିର୍ମାଣ କରାଯାଇଥିବା ଗୃହ ବା ରଖାଯାଇଥିବା ଜିନିଷ ବାଜ୍ୟାଣ୍ଟି କରାଯିବ ।

ତଥ୍ୟ

ଗ୍ରାମ, ଧାନା ଓ ଜିଲ୍ଲାର ନାମ	ଖସଡ଼ା ବିବରଣୀ	ପଞ୍ଜାରେ ଦରଜ ମୁତାବକ ଖସଡ଼ାର ସମୁଦାୟ ରକରା	ବେଆଇନ ଦଖଲ କରିଥିବା ଜମିର ପରିମାଣ	ଦଖଲ କରିଥିବା ଜମି କିଭଳି ବ୍ୟବହୃତ ହୋଇଛି
୧	୨	୩	୪	୫
Unit No-12, Balarampur, Baripada, Mayurbhanj	Khate No: 332 Plot No: 31	Ac 0.10	Ac 0.10	House

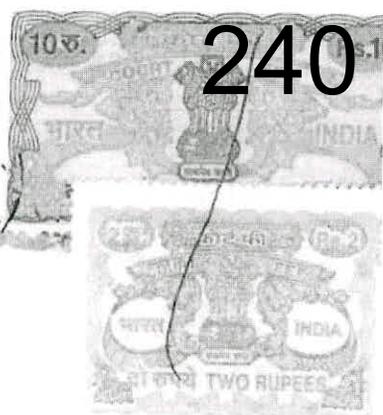
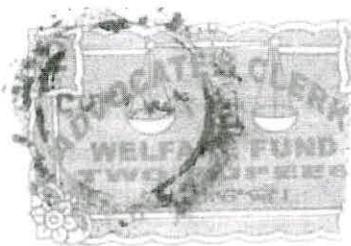
Adv.
T.C. Attested.

True Copy
Attested

ତାରିଖ 03/02/2026...

Gobinda Chandra Biswal
Divisional Forest Officer,
Baripada Forest Division.

TAHASILDAR
BARIPADA



IN THE HIGH COURT OF JUDICATURE AT
CUTTACK

(Original Jurisdiction Case)

WP(C) No. _____ / 2026

86741

Pramat Kumar Hembram @ Pramod Kumar Hembram @
Promad Kumar Hembram.

.....PETITIONER

VERSUS

The Collector, mayurbhanj and Another

..... OPP.PARTIES

I/WE, KNOW ALL MEN BY THESE PRESENTS that by this VAKALATNAMA, the PETITIONER/OPPOSITE PARTY in the aforesaid case, Pramat Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram, aged about 58 years, At Ward No-17, Bijayachandrapur, Baripada, PO - Bhamjpur, Dist - Mayurbhanj, Odisha - 757002.

do hereby appoint and retain **SIDHARTHA MISHRA, (O-1319/1999, 9937546645), SHRIYA MISHRA(O-893/2024, 7735794446), RAJENDRA MISHRA, (O-402/1995, 9937171979), DEBASIS SWAIN, (O-412/2013, 9438683969), SWASTIK MOHANTY, (O-440/2021,9439695974), MANOJ KUMAR BARAL, (O-1480/2021, 8763548220), SIDDHI SADHAN PATI, (O-228/2022, 8327762260), SHREE PANDA (O-1477/2023, 9861672266), SRAVANI SAHOO (O-3065/2025, 9078282010)** to appear on behalf of us in the above case and to conduct, prosecute and defend the same and all proceedings that may be taken in respect of any application connected with the same or any order passed therein including all applications for return of documents or receipt of any money that may be payable to the said case. I authorize my Advocate to admit any compromise entered in the said case.



DATE- 09.02.2026

Pramat Kumar Hembram

(SIGNATURE OF THE EXECUTANT)

Received from the Executant(s) satisfied and accepted as I hold no brief of the other side

True Copy Attested

Sidhartha Mishra
Accepted as above

R. Mishra
Accepted as above

[Signature]
Accepted as above

D. Swain
Accepted as above

George Choudhary
Baripada

Divisional Forest Office
Baripada Forest Division

M.K. Baral
(Adv)

S. Mohanty
(Adv)

[Signature]
(Adv.)

S. Panda
Adv.

S. Sahoo
Adv.

-4- X 5 -

CHIEF JUSTICE'S COURT
09 FEB 2026
HIGH COURT OF ORISSA

241

INDIA
FIVE RUPEES
INDIA
ONE RUPEE

IN THE HIGH COURT OF ORISSA, CUTTACK

Misc. Case No. 2842/2026

(Arising out of W.P.(C) NO. /2026)

In the matter of:

An application under Ch. VI Rule 27(a) of the Orissa High Court Rules.

And

In the matter of:

An application for stay and appropriate order.

And

In the matter of:

Pramat Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram , aged about – 58 years, S/o – Kshetri Charan Hembram, Resident of Vill – Ward No-17, Bijayramchandrapur, Baripada, PO- Bhanjpur, Dist – Mayurbhanj, Odisha-757002. **PETITIONER**

Versus

The Collector, Mayurbhanj & Another.... **OPP. PARTIES**

To,

The Hon'ble Chief Justice, Orissa High Court and His Lordships Companion Justices of the said Hon'ble Court.

The Humble petition of the
Petitioner above named;

Most respectfully Sheweth:

1. That, the Petitioner is a law-abiding citizen and has preferred this Writ Application seeking that the Petitioner must be given an opportunity of hearing before eviction is undertaken from the subject land,

*Adv.
T.C. Attested*

Byomakesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd. No-06/2018

**True Copy
Attested**
*Gopinath Chandra Biswas
er,*
**Divisional Forest Officer,
Baripada Forest Division.**

- 2 - * -

over which the Petitioner has been in continuous and adverse possession for the last 80 years.

2. That the petitioner has a good prima-facie case. Balance of convenience leans in favour of the petitioner. The facts stated and averments made in the writ application may be treated as part of this petition and the same are not reiterated for the sake of maintaining brevity.
3. That in the interest of justice, equity, and to prevent irreparable loss to the Petitioner and his family, it is most respectfully prayed that this Hon'ble Court may be pleased to stay the operation and execution of the eviction till disposal of the present petition.

P R A Y E R

It is therefore most respectfully prayed that your Lordships be graciously pleased to Pass Appropriate Orders to stay the operation and execution of the Eviction till disposal of the present petition;

And / or to pass such other order/s, direction/s as deem fit and proper in the greater interest of justice.

And for this act of kindness the petitioner shall as in duty bound ever pray.

Cuttack

By the petitioner through



Advocate

Date : 09.02.2026

Byomkesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd.No-66/2010

**True Copy
Attested**

Gobinda Chandra Biswal
**Divisional Forest Officer,
Baripada Forest Division.**

AFFIDAVIT

IN THE HIGH COURT OF ORISSA, CUTTACK

1. Name- Pramod Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram, aged about 58 years, At- Ward No-17, Bijayramchandrapur, Baripada, PO- Bhanjpur, Dist.-Mayurbhanj, Odisha-757002.
2. Father's Name – Kshetri Charan Hembram
3. Occupation- Farming.
4. Number of proceedings pending in the High Court or would be instituted – No
5. Statement of facts – As stated in the afore-mentioned I-A Petition.
6. That the facts stated above are true to the best of my knowledge and belief.

DECLARATION

I, Mr. Pramod Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram, the Petitioner, do hereby solemnly affirm and state as follows: -

1. That, I am the Petitioner in the above I-A Petition.
2. That, the facts stated in paragraph 1 to 3 above are true to the best of my knowledge and belief and based on records.

**True Copy
Attested**

Gyandha Chandra Biswal
**Divisional Forest Officer,
Baripada Forest Division.**

IDENTIFIED BY
SIDDIHI SADHAN PATI

(0-228/2022, 8327262260)

ADVOCATE

Pramod Kumar Hembram

DEPONENT

[Handwritten signature]



Byomkesh Mishra
Associate
Notary, Cuttack Town
Govt. of Odisha
Reg.No-05/2019

-4- - 3X8-

Solemnly affirmed by me by Mr. Pramod Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram, who is identified before me by SIDDHI SADHAN PATI, ADVOCATE, whom I personally know.

This is the 9th day of February, 2026.

OATH COMMISSIONER/ NOTRARY PUBLIC, CUTTACK

Byomakesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Regd. No. 63/2018

ADVOCATE

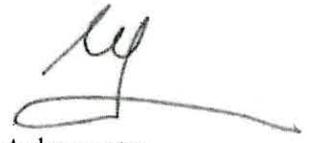
(SIDDHI SADHAN PATI)

Enrollment No. O-228/2022

Mobile No. 8327762260

CERTIFICATE

Due to non-availability of cartridge papers thick white paper has been used. It is undertaking that the petitioners will file a translated copy of Odia annexures as when required by this Hon'ble Court.


Advocate

**True Copy
Attested**

Gobinda Chandra Biswal

**Divisional Forest Officer,
Baripada Forest Division,**

IN THE HIGH COURT OF ORISSA

245

COPY SERVE ACKNOWLEDGEMENT SLIP

CASE NO. D-WP(C) / 5680 / 2026

DOC.Type. AG Copy

PRAMAT KUMAR HEMBRAM @ PRAMOD KUMAR HEMBRAM @ PROMAD KUMAR HEMBRAM *Petitioner*

Versus

THE COLLECTOR, MAYURBHANJ *Opposite-Party*

Sl. No.	Sent To	Date & Time
1	Advocate General	2026-02-09 16:23:24.983622

(qc Filing2, Date & Time: 2026-02-09 16:23:25.606421)

**True Copy
Attested**

Gobinda Chandoo Baripada

**Divisional Forest Officer,
Baripada Forest Division.**

CHIEF JUSTICE'S COURT
09 FEB 2026

IN THE HIGH COURT OF ORISSA, CUTTACK
(ORIGINAL JURISDICTION CASE)

WP (C) NO. 4815 OF 2026

Code No.: 201100

IN THE MATTER OF:

An application under Article 226 & 227 of the Constitution of India;

AND

IN THE MATTER OF:

An application challenging the illegal order of eviction under Orissa Prevention of Land Encroachment (OPLE), Act, 1972.

AND

IN THE MATTER OF:

Pramat Kumar Hembram @ Pramod Kumar Hembram @ Promad Kumar Hembram, aged about – 58 years, S/o – Kshetri Charan Hembram, Resident of Vill – Ward No-17, Bijayramchandrapur, Baripada, PO- Bhanjpur, Dist – Mayurbhanj, Odisha-757002.

.....Petitioner

Versus

1. The Collector, Mayurbhanj, At/Po- Baripada, Dist.- Mayurbhanj, Pin-757001
2. The Tahasildar, Baripada, At/Po- Baripada, Dist.- Mayurbhanj, Pin-757001

True Copy
Attested

G. Chandan Prasad
Divisional Forest Officer,
Baripada Forest Division.

Byomakesh Mishra
Advocate
Notary, Cuttack Town
Govt. of Odisha
Read.No-66/2018

.....Opposite Parties





IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4815 of 2026

Pramat Kumar Hembram@Pramod Kumar Hembram@Promad Kumar Hembram *Petitioner*

Mr. S. Mishra, Advocate

-versus-

The Collector, Mayurbhanj and another *Opposite Parties.*

Mr. G. Tripathy, A.G.A.

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
13.02.2026

Order No.

01.

1. Mr. S. Mishra, learned counsel for the Petitioner seeks permission to withdraw the writ petition with liberty to approach the appellate forum.
2. Accordingly, the writ petition is disposed of as withdrawn granting liberty prayed for.
3. In the event, the appeal is preferred within a period of thirty days from today, the question of limitation may be considered liberally and the Petitioner may not be evicted from the case land till such period or till filing of the appeal, whichever is earlier.
4. An urgent certified copy of this order be granted on proper application.

श्री- B.P. Routray, J
(B.P. Routray)
Judge

**True Copy
Attested**

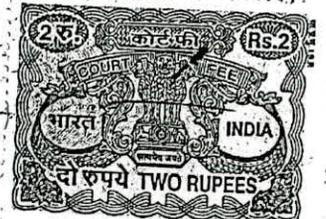
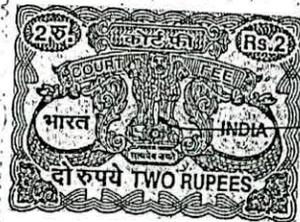
Gobinda Chandra Pasari
**Divisional Forest Officer,
Baripada Forest Division.**

B.K. Barik

Signature valid

Digitally Signed
Signed by: BASANTA KUMAR BARIK
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 13-Feb-2026 17:13:11

*Verify by,
P. S. Choudhary*
13.2.26





Latitude: 21.916998

Longitude: 86.744828

Accuracy: 12.44 ft

Bearing: 170±45° (S)

Time: Tuesday 15-07-2025 12:45:51 PM

Note: Blazing of Trees & Enumeration at Palabani, Baripada, for Inter State Bus Terminal

Manchabandha Section of Baripada Forest Range

**True Copy
Attested**

Splendide Chandra Bhowal
Divisional Forest Officer,
Baripada Forest Division.



Time: Tuesday 15-07-2025 12:46:20 PM

Note: Blazing of Trees & Enumeration at Palabani, Baripada, for Inter State Bus Terminal Manchabandha Section of Baripada Forest Range

**True Copy
Attested**

Gebnu Chandra Biswal
Divisional Forest Officer,
Baripada Forest Division.

104



**True Copy
Attested**

Selendra Chandan Bisarya
Divisional Forest Officer,
Baripada Forest Division,

**True Copy
Attested**
General Charles Dixon
Divisional Forest Officer,
Baripada Forest Division.



altitude: 21.916691
Longitude: 86.745059
Elevation: 11718±3.2 m
Accuracy: 3.0 m
Time: 02-16-2026 16:29
Note: chancha702



**True Copy
Attested**

Sande Chandra B. Singh
Divisional Forest Officer,
Baripada Forest Division.

Latitude: 21.916786
Longitude: 86.745088
Elevation: 118.48±3.3 m
Accuracy: 3.0 m
Time: 02-16-2026 16:29
Note: chancha696



True Copy
Attested
Powered by NoteCam

Siddhanta Chandra Biswal
Divisional Forest Officer,
Baripada Forest Division

Latitude: 21.91731
Longitude: 86.745125
Elevation: 75.78±8.28 m
Accuracy: 1.235 m
Time: 02-16-2026 16:25
Note: chdncha1413



True Copy
Attested

Powered by NoteCam

Gelinde Chandra Bhand
Divisional Forest Officer,
Baripada Forest Division

Latitude: 21.916915
Longitude: 86.745083
Elevation: 75.68±8.28 m
Accuracy: 3.0 m
Time: 02-16-2026 16:28
Note: chanchal432



True Copy
Attested

Powered by NoteCam

Shree Chandra Biswal

Divisional Forest Officer,

Baripada Forest Division.



Latitude: 21.917337
Longitude: 86.745127
Elevation: 75.78±11.3 m
Accuracy: 2.477 m
Time: 02-16-2026 16:25
Note: chancha2

True Copy
Attested
Powered by NoteCam

George Chandra Byrnav
Divisional Forest Officer,
Baripada Forest Division,

altitude: 21.917385
Longitude: 86.745097
Elevation: 75.78±4.84 m
Accuracy: 1.54 m
Time: 02-16-2026 16:24
Note: chanchal1



True Copy
Attested *Powered by NoteCam*

Sparade Chandra Bikash
Divisional Forest Officer,
Baripada Forest Division.



**True Copy
Attested**

Gebrode Chandoo Biswal

**Divisional Forest Officer,
Baripada Forest Division.**



**True Copy
Attested**

Greberde Chandoz Basnet
**Divisional Forest Officer,
Baripada Forest Division.**