IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.19720 OF 2013

Pradipta Kumar Routray and others .... ***Petitioner(s)***
Mr. S.K.Baral,
Advocate

-versus-

State of Odisha and others .... ***Opposite Party(s)***
Mr.U.K.Sahoo,
ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
11.07.2022

Order No.

06. **1.** Heard learned counsel for the Parties.

2. Short question involving the case is that whether the revisional order under Section 32 of the Orissa Survey and Settlement Act, 1958 is entertainable ? In similar situation, this Court in disposal of W.P.(C) No. 13895 of 2008 taking into consideration the previous decision of this Court in ***Subash Kumar Baral vrs. State of Odisha & others*** reported in 120 (2015) CLT 163 has come to observe as follows:

> "Considering the rival contentions of the parties, this Court finds, there is no dispute that the Revision under Section 32 of the Orissa Survey & Settlement Act at the instance of the State was involving an order under Section 22 of the Orissa Survey & Settlement Act. This Court is of the opinion that no Revision under Section 32 of the Orissa Survey & Settlement Act is maintainable. The decision cited at Bar also supports the case of the petitioner.
>
> In the circumstance, this Court interfering with the impugned order at Annexure-5 sets aside the same.
>
> The writ petition stands disposed of."

3. For the consistent view of this Court through several disposals even including the reported case as above, there is no possibility of

taking any view otherwise. In the circumstance, this Court interfering with the order at Annexure-2 sets aside the same. The Writ Petition succeeds. It is made clear that disposal of the Writ Petition interfering with Annexure-2 shall not stand as a bar for the Parties, if any, to move any other proceeding, if available under any procedure of law.

(Biswanath Rath)
Judge

Swarna

HIGH COURT
सत्यमेव जयते
ORISSA