

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.1122 OF 2004

Kathi Jena

....

Petitioner

Mr.N.K.Sahu, Adv.

-versus-

State of Orissa & ors.

....

Opposite Party(s)

Mr.S.Ghosh, AGA
Mr.P.Kar, Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
20.9.2022**

Order No.

8.

1. Heard learned counsel for the Parties.
2. In course of hearing, this Court finds, the main reason of rejection of a batch disposal of Revisions including the Revision at the instance of the present Petitioner dismissing on the discussions and conclusions based in last but two paragraphs of the impugned order simply recording that the Petitioner has not produced any rent receipt showing that rent has been paid till 1986. This Court on perusal of Annexure-2 finds, there is clear disclosure of receipt of rent from 1968 till 1986. Further the order of the Consolidation Officer, Bhadrak clearly discloses, Ext.3 is certified copy of T.L. issued by the competent Authority even the Consolidation Officer has recorded that it is a fact that the T.L. was opened in the name of

Bhikari Jena, the father of the Objector involved therein. The Petitioner appears to be the son of Bhikari Jena in whose favour T.L. was opened. This Court further finds, the revisional order remains contrary to the materials available on Record. The impugned order is therefore interfered with and set aside. The Petitioner is directed to appear before the Consolidation Authority with copy of this order on 28.9.2022 and as Consolidation Revision No.427 of 1996 needs re-adjudication, the Joint Commissioner, Settlement and Consolidation, Bhubaneswar and/or the Authority in seisin is directed to dispose of the remanded Consolidation Revision involving the Petitioner afresh within a period of two months thereafter. This Court records the claim of the learned counsel for the Petitioner that the Petitioner has a direct support of a decision of this Court. In such event, it is open to the Petitioner to refer and rely on such decision in the remand hearing.

3. The Writ Petition stands disposed of accordingly.

(Biswanath Rath)
Judge

M.K.Rout