

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.4478 OF 2003

Surdarsan Naik

.... ***Petitioner(s)***
Mr.D.P.Dhal,Adv.

-versus-

***Add. District Magistrate, Boudh and
others***

.... ***Opposite Party(s)***
Mr.S.Mishra,ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
14.10.2022

Order No.

03.

1. Heard learned counsel for the Parties.
2. Sole ground in challenging the impugned order appears in spite of clear plea in the original proceeding by this Petitioner claiming the original land owner does not belong to Scheduled Caste, it is alleged the authority below failed in appreciating the same. This Court considers the above aspect and keeping in view the grounds stated in the Writ Petition entering into the order of the original authority vide Annexure-3 finds, such a plea available at the instance of the Petitioner is very much available and in disposal of the matter, the Sub-Collector, Boudh has come to observe that the father of the Petitioner is a Scheduled Caste, while the Opposite Party No.1 therein the vendor of the present Petitioner is a non-Scheduled Caste. It is however observed Petition here did not substantiate that the Petitioner therein does not belong to Schedule Caste.
3. It appears in filing the Appeal, the Petitioner since aggrieved by the above findings of the Sub-Collector has not made any endeavor

to establish that the original land owner does not belong to Scheduled Caste. For there is no concrete attempt and in absence of any material to establish the case of private Opposite Parties, otherwise there is no strength in the submission of present Petitioners. In the circumstance, this Court finds, impugned order remain unassailable.

4. The Writ Petition stands dismissed.

(Biswanath Rath)
Judge

Swarna

