

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4443 of 2005

Hemanta Kumar Beura

....

Petitioners

Mr. S.K. Dash,
Advocate

-versus-

Supriti Jena & Ors.

....

Opposite Parties

Mr. S. Mishra,
ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
13.10.2022**

Order No.

03.

1. Even though this Writ Petition involves a challenge to the order of rejection of an appeal on the ground of no provision of appeal, however, in the meantime there is amendment to the provision at Section 58 of the O.L.R. Act thereby incorporating the appeal provision against the Section 8-A proceeding. This Court here finds, this Writ Petition was entertained in the year 2005 and pending as of now. For creation of the appeal provision in the meantime this Court interfering in the order at Annexure-3, restores the appeal and thereby directs the Sub-Collector, Cuttack to entertain the appeal and decide the same on its own merit. The grounds taken herein can very well be taken up in appeal.

2. The Writ Petition stands disposed of with the above order

(Biswanath Rath)
Judge