

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.12820 of 2004

Udaya Swain & Ors.

....

Petitioner(s)
Mr.S.Jena, Advocate

-versus-

*Joint Commissioner, Settlement &
Consolidation, Berhampur & Ors.*

....

Opp.Party(s)
Mr.S.Ghose, AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

26.08.2022

**Misc. CaseNos.868 of 2008, 14948 of 2008, 1136 of 2010, 696 of 2011,
9279 of 2011 15259 of 2011, 3922 of 2015 and 3923 of 2015**

Order No.

6.

1. These Misc. Cases have been filed for substitution of L.Rs. of deceased petitioner no.20, opp. party nos.10, 5, 9, petitioner no. 28, opposite party nos.14, 21 and 12 respectively.
2. Considering that above petitioners and opposite parties since dead during pendency of the writ petition, prayer for substitution stands allowed.
3. Misc. Cases stand disposed of.
4. Registry is directed to make necessary correction in the cause title portion of the brief.

(Biswanath Rath)
Judge

ORDER

26.08.2022

W.P.(C).No.12820 of 2004

Order No.

7.

1. Heard learned counsel appearing for the parties.
2. This writ petition involves a challenge to the order at Annexure-1 appears to have been passed in disposal of a proceeding under Section 15(b) of the Orissa Survey & Settlement Act, 1958. There is no dispute at Bar that judgment in 15(b) proceeding is an outcome of a result in O.J.C.No.14725 of 1999. It further reveals from the impugned order that the competent authority allowed 15(b) proceeding in part but

however heavily dependant on the observation coming through O.J.C.No.14725 of 1999. For the order of the competent authority based on disposal of writ petition by the High Court, for the opinion of this Court unless the writ petition direction therein are interfered by higher Forum, the Revenue Authority is bound by such order. The Revenue Authority strictly followed the direction therein. In the process, this Court finds no infirmity in the impugned order requiring to be interfered herewith. Consequently, the writ petition stands dismissed.

(Biswanath Rath)
Judge

Sks

