

IN THE HIGH COURT OF ORISSA AT CUTTACK

OJC NO.12675 OF 2000

Hemanta Kumar Darjee

....

Petitioner

Mr.N.C.Pati, Adv.

-versus-

State of Orissa & ors.

....

Opposite Party(s)

Mr.S.Mishra, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
29.8.2022**

Order No.

6. 1. Heard learned counsel for the Parties.
2. Considering the submissions made and taking into account the grounds taken herein, this Court finds from the impugned order, the Collector, Sonapur has remanded the matter to the Sub-Collector, Sonapur for re-exercise of his power and involving some questions required to be adjudicated by the Competent Authority. From the previous hearing of the matter, this Court finds, there has been recording of some other issues in the order dated 18.10.2016. For the opinion of this Court, such issues can also be considered in the remand proceeding. For the remand of the proceeding on the application of the Petitioner himself, this Court is not inclined to entertain such proceeding here.

3. In disposal of the Writ Petition, this Court re-opens the remand proceeding however permitting the Petitioner to raise all such contentions raised herein including the issue involved in the order dated 18.10.2016 for consideration of the Sub-Collector, Sonapur. The Petitioner is directed to appear before the Sub-Collector, Sonapur on 14.9.2022. There shall be disposal of the remand proceeding providing opportunity of hearing to the petitioner.

M.K.Rout



(Biswanath Rath)
Judge