

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10352 OF 2004

Jayamangal Chhatra

....

Petitioner(s)

Mr.S.S.Mohapatra,
Advocate

-versus-

Collector, Bolangir & Ors.

....

Opposite Party(s)

Mr.U.K.Saho, ASC

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

05.09.2022

Misc. Case No.14734 of 2015

Order No.

06. 1. This is an application for substitution of L.Rs. of the deceased petitioner.
2. Since the petitioner has died during pendency of the writ petition and Vakalatnama on behalf of the legal heirs of the deceased-petitioner is already on record, this application for substitution stands allowed.

(Biswanath Rath)
Judge

ORDER

05.09.2022

W.P.(C) No.10352 OF 2004

Order No.

07. 1. Defect, so far as non-service of notice on opposite party no.6, stands ignored as opposite party nos.5 and 6 are jointly fighting the litigation altogether.
2. Heard the submission of learned counsel appearing for the petitioner. Sole ground of attacking the impugned order, it appears for

his 30 years possession involving the disputed property the claims to have met with the contingency required under Section 23 of the O.L.R. Act. In course of hearing, learned counsel for the petitioner though taken this Court to the several observation of the appellate authority as well as revisional authority but unable to satisfy petitioner's continuance 30 years over the disputed land. It is on the other hand, Mr.Sahoo, learned Additional Standing Counsel submits that petitioner's original claim was on the basis of a unregistered agreement for settlement which has been taken into account by the appellate authority but discarded on ground stated therein. As a consequence, this Court finds the petitioner has miserably failed in establishing his case to satisfy at least a consideration under Section 23 of the O.L.R. Act. As a consequence, this Court finds no infirmity or illegality in the impugned order required to be interfered by this Court . Consequently the writ petition stands dismissed.

(Biswanath Rath)
Judge

sks