

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10035 of 2010

Arun Kumar Maediaratta & Anr.

Petitioner(s)

Mr. S.K. Dash,
Advocate

-versus-

State of Orissa & Ors.

Opposite Party(s)

Mr. S. Mishra,
ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
16.12.2022**

Order No.

04.

1. Heard the submission of learned counsel for Petitioners.
2. There is serious allegation that keeping pending the denying liability application by the legal heirs of the certificate debtor, the competent authority is proceeding to decide the certificate proceeding involved herein. For the opinion of this Court, once a denying liability application comes to the existence, it becomes the responsibility of the competent authority to take a call on the denying liability application before proceeding to the demand of deposit involved.
3. In the circumstance, this Court interfering in the impugned order dated 10.03.2010, sets aside the same and remits the matter back to the Tahasildar-cum-Certificate Officer, Titlagarh for taking a decision on the denying liability application stated to be pending at the instance of the Petitioners and proceeding accordingly, but however, involving the Petitioners.

4. The Petitioners are directed to serve a copy of this order on the Tahasildar-cum-Certificate Officer, Titlagarh or the competent authority within a period of ten days hence.

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

(Biswanath Rath)
Judge

Ayaskanta Jena

