

IN THE HIGH COURT OF ORISSA AT CUTTACK

O.J.C. No.6150 of 2001

Govinda Chandra Swain

....

Petitioner(s)

Mr. A.K. Dalai,
Advocate

-versus-

Commissioner, Consolidation & Anr.

Opposite Party(s)

Mr. S. Ghose,
Addl. Standing Counsel

CORAM:

JUSTICE BISWANATH RATH

ORDER

17.03.2022

Order No.

09.

1. Though this writ petition at this stage involves substitution aspect, looking to the prayer made in this writ petition this Court finds, there is no relevancy in the substitution.

2. This writ petition is filed in the year 2001 with the following prayer :-

“

PRAYER

The petitioner therefore, in view of the facts and circumstances stated above prayed that your Lordships be graciously be pleased to issue an appropriate writ upon hearing parties restraining opposite parties from proceeding with delivery of possession pending final disposal of Revision Case as per Annexure-1 and or to pass any other appropriate order or direction as may be found suitable in the facts and circumstances of the case.

And as in duty bound the petitioner shall ever pray.”

3. Looking to the above prayer, this Court finds, such a prayer was made to the High Court keeping in view the difficulty with the Petitioner during pendency of the revision case vide Annexure-1. Revision vide Annexure-1 must have been disposed of in the meantime. Further looking to the prayer, this Court observes, for the pendency of the revision case there was no possibility on the part of this Court to allow the writ petition. This Court, therefore, observes, in the event the Petitioner has any cause of action depending on the ultimately outcome in the revision, he may approach in appropriate proceeding.

4. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

