

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.323 OF 2004

Hema Bewa since dead, her legal heirs, Dasarathi Rout & ors. ***Petitioners***

Mr.P.Kar, Adv.

-versus-

Chandan Rout since dead, his legal heirs, Jhumuri Rout & ors. ***Opposite Party(s)***

Mr.U.K.Sahoo, ASC for O.P.4

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
24.8.2022**

WP(C) NO.323 OF 2004 & I.A.NO.12886 OF 2018

Order No.

- 16.
1. Heard learned counsel for the Parties.
 2. There is substantial representation. For the joint contest of the Parties in the lower court proceeding, no substitution is necessary.
 3. This Court finds, there is adjudication in the Application under Section 15(b) of the O.S. & S. Act, vide Annexure-4. For the nature of proceeding, if the Petitioners so aggrieved by such order should have gone for a declaration before appropriate court instead of filing the Writ Petition. In the circumstance, this Court finds, there is no scope for interfering with the impugned order.

4. The Writ Petition as well as the I.A. thus stands dismissed.
Interim order of this Court dated 8.3.2004 passed in Misc. Case
No.327 of 2004 stands vacated.

(Biswanath Rath)
Judge

M.K.Rout

