

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 4682 of 2004

Bhabani Naik

....

Petitioner(s)

Mr.A.K.Nanda, Advocate

-versus-

Collector, Rayagada & Ors.

....

Opposite Party(s)

Mr.S.Ghose, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
28.06.2022**

Order No.

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1. In course of submission, Mr.Nanda, learned counsel appearing for the petitioner on the observation made in paragraph-b at page 19 of the brief submitted that even though Hingurai Majhi, the original vendor did not appear and depose before the Revenue Authority but there has been some recording by the Revenue Authority to have been recorded the statement made by the vendor Hinguria Majhi, which is not a fact. Keeping in view such statement, this Court finds if an authority or a court has committed mistake in recording, it is for the settled position of law, it is for the same authority or court which has to rectify its own mistake, if any, and there is no scope with any higher forum.
2. In the circumstance and grounds raised herein for entertaining the writ petition, interference in the impugned order is not permissible. Learned counsel appearing for the petitioner at this stage of the matter seeks permission for withdrawal of the writ petition with liberty to the petitioner to re-approach the Collector, Rayagada for correcting his own order and passing a fresh order. Consequently, the writ petition stands disposed of as withdrawn but, however, with liberty as prayed for. The

approach to the Collector will be to the limited extent as indicated hereinabove.

3. Since the petitioner is enjoying the status quo order passed by this Court since 13.05.2004, on entertaining the writ petition, the same shall continue for a period of 8 (eight) weeks within which period the competent authority shall dispose of the further application, if any, by the petitioner.

(Biswanath Rath)
Judge

Sks

