

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1900 of 2006

Pabitra Rout & Ors.

.... ***Petitioner(s)***

Mr. H.N. Mohapatra,
Advocate

-versus-

***Joint Commissioner, Consolidation,
Survey & Settlement, Orissa, Cuttack
& Ors.***

.... ***Opposite Party(s)***

Mr. S. Ghose,
AGA for O.Ps.1 & 2
Mr. A.K. Mohapatra,
Advocate for O.Ps.3 to 5

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
02.11.2022**

Order No.

05. 1. As this Court has already taken a view on the scope of the authority exercising power U/s.15(b) of the O.S.S. Act not wider enough involving undertaking the exercise resolving the dispute as well as the controversies between the parties therein, the proceedings required to be disposed of should be on the basis of undisputed and on admitted matters. In the event any such controversy exists, the proceeding should be closed authorizing the parties to approach the competent Civil Court of law for settling their dispute. Since the Petitioners were pursuing this writ petition for all these years, this Court though declines to interfere in the impugned order dated 28.06.2005, however, observes, in the event the Petitioners are so advised, may agitate the issue through appropriate proceeding and such issue shall be decided without being influenced by the observation of

the competent authority involving the matter U/s.15(b) of the O.S.S. Act.

2. The Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Ayaskanta Jena

