

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.13899 OF 2007

Nityananda Rana & ors.

....

Petitioners

Mr.S.Mantry, Adv.

-versus-

***Joint Commissioner of Settlement and
consolidation, Balasore & ors.***

....

Opposite Party(s)

Mr.S.Mishra, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
15.11.2022**

Order No.

- 4.
1. Heard learned counsel for the Parties.
 2. The Writ Petition involves dismissal of an Application under Section 37(1) of the O.C.H. & P.F.L. Act on the premises of alternative remedy available. Undisputedly, there has been disposal of original application early. Remedy of appeal was very much available. There is no dispute by the learned counsel for the Petitioners to the availability of appeal remedy. In the circumstance, this Court finds, there is no infirmity in the rejection order impugned herein and the Writ Petition stands dismissed. Since the Revision under Section 37(1) of the Act has been dismissed on the ground of maintainability, the Petitioners since were pursuing writ remedy bona fide, if so advised may prefer statutory appeal.

(Biswanath Rath)
Judge