

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 1601 of 2022

Mr. Amit Prasad Sahoo

....

Petitioner

Mr.Bhagabat Prasad Rath, Advocate

-versus-

Tahasildar, Lathikata

....

Opposite Party

Mr. Debakanta Mohanty, AGA

**CORAM:
THE CHIEF JUSTICE
JUSTICE M.S.SAHOO**

ORDER

27.01.2022

Order No.

2.

1. This matter is taken up by video conferencing mode.
2. Mr. D. Mohanty, learned AGA appears on advance notice and informs the Court that the lease of the Petitioner has been cancelled by the Tahsildar, Lathikata.
3. Learned counsel for the Petitioner, however, states that the Petitioner has never been formally communicated such an order passed by the Tahsildar, Lathikata.
4. The Petitioner will appear before the Tahsildar, Lathikata on 14th February, 2022 along with a downloaded copy of this order at 11 am. The Tahsildar, Lathikata shall supply the Petitioner on that date a copy of the order cancelling the lease. Thereafter it would be open to the Petitioner to file an appeal assailing the order of cancellation of lease passed by the Tahsildar, Lathikata before the Sub-Collector under Section 46 of the OMMC Rules, 2016. If such an appeal is filed not later than 3rd March, 2022 accompanied with an application for

condonation of delay giving an explanation that the delay is on account of the pendency of the present writ petition, such an application will be considered in accordance with law by the appellate authority. It is open to the Petitioner to seek appropriate interim reliefs before the appellate authority.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

6. The writ petition is disposed of in the above terms.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo No.514 and 515 dated 7th January, 2022.

(Dr. S. Muralidhar)
Chief Justice

(M.S.Sahoo)
Judge