

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3522 of 2009

Mahendranath Sahoo

Petitioner
....
Mr.B.P. Das, Advocate

-versus-

Managing Director, Orissa

Industrial Infrastructure

Development Corporation (IDCO)
and others

Opp. Parties

Mr. S.P. Mishra, Sr. Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K.PATTANAIAK

ORDER

24.02.2022

Order No.

11. 1. On 24th March, 2021 the following order passed by this Court:

“1.Mr. Das, learned counsel for the Petitioner today states on instructions that he is confining his prayer in the writ petition to just one namely, that the Opposite Party (IDCO) should register a sale deed in his favour in respect of Plot No.A/11, to the extent of area Ac 0.581 decimals, which was allotted to him by letter dated 17th May, 2004 and he is in possession.

2. Mr. Mishra, learned Senior Advocate for the Opposite Party (IDCO) points out that in a letter dated 18th February, 2009 the Petitioner was informed that he was in possession of the excess land measuring Ac 1.243 decimals which was in excess of allotment and that the Petitioner has to surrender what was the excess land which was in possession of the Petitioner.

3. Learned counsel for the Petitioner states that the Petitioner is not in possession of any other land other

than Ac 0.581 and that he is prepared for a joint verification being ordered in this regard. IDCO will immediately send its Engineers to the spot for demarcating the exact area of Plot No.A/11 i.e. admeasuring Ac 0.581 and ensure that any land beyond that which might be in possession of the Petitioner is immediately surrendered by him to IDCO.

4. This exercise be completed in the next ten days. An additional affidavit be filed regarding the steps taken pursuant to this direction before the next date.

5. List on 4th May, 2021.”

2. Pursuant to that a joint verification, IDCO (OP No.3) has filed an additional affidavit dated 3rd September, 2021 where it is stated that a reorientation has been done of the plot originally allotted and that a vacant plot of Ac.0.662 decimals adjacent to the Petitioner's plot is available. In reply to the said affidavit, the Petitioner states that he is ready and willing to pay for the adjacent land at the present market value.

3. Having considered the above submission, it is directed that the Petitioner will make a representation to the IDCO not later than 14th March, 2022 making his offer to purchase the adjacent land to the extent of Ac.0.662 decimals at the present market value. The IDCO will examine the said offer and communicate its decision thereon to the Petitioner not later than 4th April, 2022. The fact that the Petitioner filed an application for allotment of additional land way back in 2001 for an additional area of Ac.1.00 will be kept in view while examining his offer. Depending on the decision of the IDCO, steps will be taken to either execute a sale deed for the re-

orientated land of Ac.0.581 dec or also for the additional land to the extent of Ac.0.662 dec in favour of the Petitioner, subject to completion of all formalities, within a period of one month thereafter.

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

5. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge



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