

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.17187 of 2011

Padmabasini Routray & others

.... ***Petitioner***
Mr. S.Patnaik, Advocate

-versus-

Collector, Khurda and others

.... ***Opposite Parties***
Mr. D.K.Mohanty, AGA

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAIAK**

**ORDER
04.05.2022**

Order No.

- 04.
1. Despite service of notice none appears for Opposite Party No.2.
 2. Counsel for the Petitioner states that the short ground on which the challenge has been laid to the order dated 26th October, 2010 passed by the Commissioner of Endowment in O.A. No.131 of 1999 is that the said order failed to acknowledge that the Petitioners are in fact the owners of the suit land and the ROR finally published in the year 1995 is in their name. It is also stated that a Civil Suit in T.S. No. 357/99 has been filed in the Court of Civil Judge, Junior Division by Opposite Party No.2 i.e. the Deity claiming right title interest of the land in question. It is stated that the said suit is still pending.
 3. The above facts do not appear to have been taken note of by the Commissioner while passing the impugned order dated 26th October, 2010. On that short ground the impugned order is hereby

set aside and O.A. No.131 of 1999 is restored to the file of the Commissioner of Endowments, Orissa for being proceeded with afresh in accordance with law. The matter will be listed before the Commissioner of Endowments on 11th July, 2022 for directions.

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



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