

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2130 of 2022

Latika Sethi

....

Petitioner

Mr. Prabir Kumar Ray, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. S.N. Mishra,
Additional Government Advocate
(For Opposite Party Nos.1 to 3)

**CORAM:
JUSTICE K.R. MOHAPATRA**

Order No.

**ORDER
16.02.2022**

- 02.
1. This matter is taken up through hybrid mode.
 2. Petitioner, in this writ petition prays for a direction to opposite party No.2-Tahasildar, Dharmasala for early disposal of his application dated 18th December, 2021 (Annexure-2) for demarcation of her land pertaining to Plot No.546, measuring Ac.0.20 decimal under Khata No.128 in Mouza Kumari under Dharmasala tahasil in the district of Jajpur (for short, 'the case land').
 3. Mr.Ray, learned counsel for Petitioner submits that Opposite party No.2-Tahasildar, Dharmasala has not taken any step on her application for demarcation of the case land for which the Petitioner, finding no other alternative, has filed this writ petition.
 4. Mr. Mishra, learned AGA submits that he has no instruction with regard to pendency of application for demarcation of the case land under Annexure-2 before opposite party No.2-Tahasildar, Dharmasala. But the application for

demarcation has to be made in proper format. Therefore, the Petitioner may be directed to file an application in proper format, so that the Tahsasildar, Dharmasala, can dispose of the same in accordance with law.

5. Taking into consideration the submissions of learned counsel for the parties and on perusal of record, it appears that the application under Annexure-2 does not reflect the demarcation case number. There is also no proof of receipt of such application by the Tahasildar. Hence, the Petitioner is directed to file a fresh application in proper format along with requisite fees and relevant documents and in such event, opposite party No.2-Tahasildar, Dharmasala shall register the same and dispose of in accordance with law by issuing notice to the Petitioner as well as the boundary tenants including Opposite Party No.4-Dasarathi Sethi to participate in the hearing of the demarcation case and to be present at the time of demarcation of the case land, if there is no legal impediment, within a period of three months from the date of production of certified copy of this order along with an application for demarcation in proper format, as aforesaid. This Court makes it clear that it has not expressed any opinion on the merit of the case.

6. With the aforesaid observation and direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge