

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2629 of 2022

Jagabandhu Pradhan

....

Petitioner

Mr. Chittaranjan Pattnaik, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(Opposite Party Nos. 1 to 4)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

10.02.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. Petitioner in this writ petition prays for a direction for early disposal of ID Case No.34 of 2021 for demarcation of Plot No.217 under Khata No.30 situated in mouza Sarapal under Riamal tahasil in the district of Deogarh.
3. It is submitted by Mr. Pattnaik, learned for the Petitioner that as the boundary tenants created disturbance over the land in question he has filed an application for demarcation of the aforesaid plot of land, which has been registered as ID Case No.34 of 2021 and is pending before Tahasildar, Riamal. Although the Tahasildar, Riamal intimated the RI for demarcation of the land in question, but no action has yet been taken on the same. It is further submitted by Mr. Pattnaik that there is no civil dispute pending in respect of the land in question, but due to interference in his possession by Opposite Party No.6, the Petitioner has lodged an FIR, which is under investigation.

3.1 In view of the above, he submits that there is no legal impediment for demarcation of the land in question, but due to inaction of the revenue authorities in doing so, he has filed this writ petition for the aforesaid relief.

4. Mr. Mishra, learned ASC submits that he has no instruction in the matter; however, if there is no legal impediment in demarcating the land in question, Tahasildar, Riamal should take steps for demarcation of the same within a reasonable time.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court, without expressing any opinion on merits of the case, disposes of the writ petition with a direction that on production of certified copy of this order, Tahasildar, Riamal shall do well to take up ID Case No.34 of 2021 and giving opportunity of hearing to the Petitioner as well as the boundary tenants, shall dispose of the same as expeditiously as possible, preferably within a period of four months from the date of production of certified copy of this order, if the same is still pending by issuing notice to the Petitioner as well as boundary tenants including Opposite Party No.6 to be present at the time of demarcation of the land in question, if there is no legal impediment.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge