

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24083 of 2013

Tamal Parida and another

.... Petitioners

Mr. S.K. Dash, Advocate

-versus-

Biswanath Muduli and others

.... Opp. Parties

Mr. D.K. Mohanty, AGA

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

ORDER

20.07.2022

Order No.

09.

1. Learned counsel for the Petitioners points out that the impugned order dated 18th June, 2013 of the ADM, Dhenkanal proceeded on the basis that the ADM has no jurisdiction to entertain the revision petition relying on a circular dated 6th December, 2000.

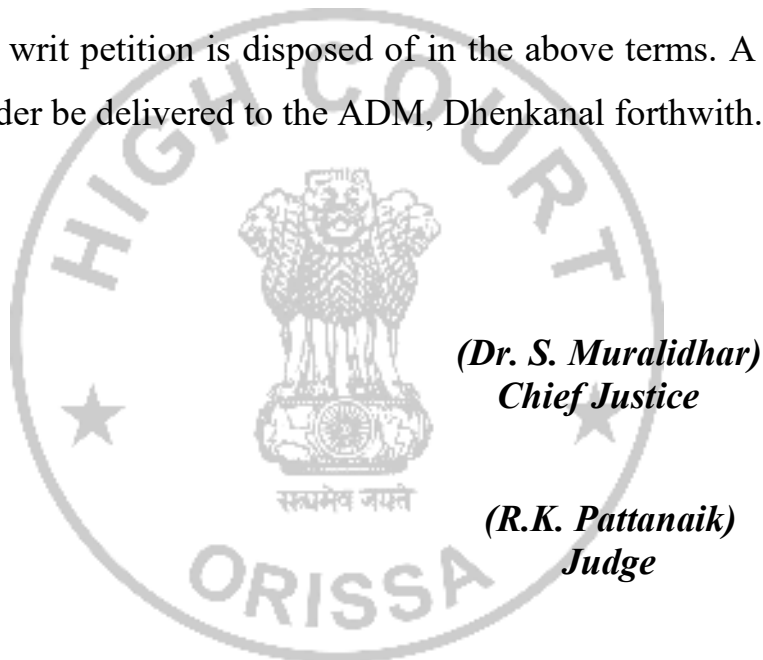
2. Consequently, the ADM did not examine the merits of OEA Revision Case No.3 of 2010 filed by the present Petitioners.

3. Learned counsel for the Petitioners has placed before the Court a copy of the subsequent clarification dated 9th February, 2004 issued by the Revenue Department to the effect that bebandobasta cases instituted prior to said circular dated 6th December, 2000 “may be disposed of as per the O.E.A. Act and Rules read with this Department letter dtd.14.3.1991 (copy enclosed) without linking the matter to G.O. dtd.6.12.2000 issued subsequently by this Department.” As a result, since in the present case the bebandobasta proceedings have been initiated in

1992, the O.EA Revision Case No.3 of 2010 is required to be disposed of now on merits by the ADM, Dhenkanal.

4. For the aforementioned reasons, the impugned order dated 18th June, 2013 is set aside. OEA Revision Case No.3 of 2010 is restored to the file of ADM, Dhenkanal and will be listed thereon 29th August, 2022. The ADM now will on account of the above clarificatory circular proceed to decide the petition within a period of six months thereafter.

5. The writ petition is disposed of in the above terms. A copy of this order be delivered to the ADM, Dhenkanal forthwith.



(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge