

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 3414 OF 2022

Ramakanta Satapathy

.... Petitioner

Mr.Rath, Advocate
on behalf of Mr. Gopinath Mishra,
Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Dillip Kumar Mishra,
Additional Government Advocate

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

**ORDER
04.05.2022**

Order No.

3.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks for a direction to the Tahasildar, Satyabadi-Opposite Party No.3 to demarcate Hal Plot No. 572 to an extent of Ac.0.18 decimals under Hal Khata No.172 corresponding to Sabik Plot No. 728 under Sabik Khata No. 100 of mouza Solahala under Satyabadi Tahasil in the district of Puri (for short 'the case land') within a stipulated time.
 3. It is submitted by Mr. Rath, learned counsel for the Petitioner that the adjacent land owner has filed an application for demarcation of Plot No. 597 to an extent of Ac.0.07 decimals under Khata No. 278 and the Petitioner has received the notice in the said demarcation case under Annexure-3 series. It is his submission that interest of justice will be best served, if both the lands are demarcated simultaneously. Although the Petitioner

has submitted an application before the Tahasildar, Satyabadi in that regard, but no action has yet been taken and the Tahasildar, Satyabadi is proceeding with the demarcation of land of the adjacent land owner. As such, this writ petition has been filed for the aforesaid relief.

4. Mr. Mishra, learned Additional Government Advocate submits that admittedly the Petitioner has not filed an application for demarcation of the land in proper format enclosing required documents. In the event such an application is filed, the Tahasildar, Satyabadi will be in a position to consider the grievance of the Petitioner in accordance with law.

5. In view of the submissions made by learned counsel for the parties, this writ petition is disposed of with a direction that in the event the Petitioner files an application for demarcation of the land recorded in the name of his father in proper format complete in all respect along with certified copy of this order within a period of two weeks hence, the Tahasildar, Satyabadi- Opposite Party No.3 shall consider and dispose of the same as expeditiously as possible preferably within a period of eight weeks therefrom by issuing notice to the Petitioner as well as boundary tenants to participate in the hearing of the demarcation case and to be present at the time of demarcation of the land, if there is no legal impediment. It is further directed that in the event the Petitioner files an application for demarcation of the land within the time stipulated, as aforesaid, the Tahasildar, Satyabadi shall make an endeavour to dispose of both the demarcation cases filed by the Petitioner and his adjacent land owner simultaneously.

6. A copy of this order be supplied to Mr. Mishra, learned Additional Government Advocate for communication and compliance.

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

(K.R. Mohapatra)
Judge

bks

