

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3881 of 2022

Mahesh Kumar Modi

.....

Petitioner

Mr. Jayadeep Pal, Advocate

-versus-

Tahasildar, Cuttack Sadar and another

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

14.03.2022

Order No.

2. This matter is taken up through Hybrid mode.
2. This writ petition has been filed for a direction to Tahasildar, Sadar Cuttack-Opposite Party No.1 to dispose of Khasmahal Lease Case No.1043 of 2003 within a stipulated period.
3. It is submitted by Mr. Pal, learned counsel that earlier the Petitioner had moved this Court in W.P.(C) No.4693 of 2018, which was disposed of vide order dated 29th March, 2018 directing the Tahasildar, Sadar Cuttack to dispose of the aforesaid Khasmahal Lease Case within a period of six months from the date of production of certified copy of the said order along with a copy of the brief, if there is no legal impediment. But the Tahasildar, Sadar Cuttack has not yet taken any step to dispose of the aforesaid Khasmahal Lease case.
4. Mr. Mishra, learned ASC on receipt of written instruction from the Tahasildar, Sadar Cuttack submits that the case is now pending before the Sub-Collector, Sadar Cuttack for resumption of the land in question, as the said land is not

being used for homestead purpose. He also produces the written instruction from the Tahasildar, Sadar Cuttack for reference of the Court.

5. In view of the above, Mr. Pal, learned counsel for the Petitioner prays for withdrawal of the writ petition seeking liberty to work out his remedy in accordance with law.

6. Granting such liberty, the writ petition is disposed of as withdrawn.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy