

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 3998 OF 2022

Lalita Sahu

.... ***Petitioner***

Mr. A. Mishra, Advocate

-versus-

Collector, Bargarh and another

.... ***Opp. Parties***

Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER

28.03.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction for early disposal of Consolidation Revision Case No.10 of 2020 stated to be pending before the Additional Commissioner, Settlement and Consolidation, Sambalpur filed under Section 37(1) of the Orissa Consolidation of Holdings and Prevention of Fragmentation of Land Act, 1972 (for short 'the Act').
3. Mr. Mishra, learned counsel for the Petitioner submits that the aforesaid revision case under Section 37(1) of the Act has been filed praying for correction of the R.O.R. in respect of Plot No.136 to an extent of Ac.0.60 decimals under Khata No.189 corresponding to Chaka Plot No. 136 under Chaka Khata No.618 of mouza Behera in the district of Bargarh as the said land has been wrongly recorded in the name of the State Government. Such wrong recording was not within the knowledge of the Petitioner, who is an old lady. When the Government officials entered into the land of the Petitioner to

demarcate it, the Petitioner came to know about the same and filed Consolidation Revision Case No. 10 of 2020 for correction of the R.O.R. Although the matter is ready for hearing and there is no legal impediment for early disposal of the same, the Additional Commissioner, Settlement and Consolidation, Sambalpur is not taking any step to dispose of Consolidation Revision Case No.10 of 2020. On the other hand, the authorities have initiated Alienation Case No.12 of 2022 to alienate the land in question. Hence, the Petitioner finding no other alternative has filed this writ petition for the aforesaid relief.

4. Mr. Mishra, learned Additional Government Advocate, on instruction, submits that very recently the Tahasildar, Bargarh submitted the para-wise report in the revision pursuant to the Letter No.153/Cons. Dated 11th February, 2022 of the Additional Commissioner, Settlement and Consolidation, Sambalpur. Further, after receipt of the objection dated 25th January, 2022 from the Petitioner, demarcation of the land in question has been stopped. Hence, apprehension of the Petitioner with regard to her dispossession is baseless.

5. Taking into consideration the submissions of learned counsel for the parties, this Court is of the considered opinion that since the Opposite Parties to the revision petition are functionaries of the State and para-wise report to the said revision petition has already been submitted by the Tahasildar, Bargarh, there appears no legal impediment for early disposal of the revision petition itself.

6. Accordingly, this Court without expressing any opinion on the merits of the case of the parties disposes of this writ petition directing the Additional Commissioner, Settlement and Consolidation, Sambalpur to dispose of Consolidation Revision

Case No. 10 of 2020 in accordance with law, as expeditiously as possible preferably within a period of six months from today. Till disposal of Consolidation Revision Case No. 10 of 2020, Alienation Case No. 12 of 2022 initiated in respect of the land in question shall be kept in abeyance.

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

A free copy of this order shall be supplied to Mr. Mishra, learned Additional Government Advocate for communication.

bks

