

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 4406 OF 2022

Surendra Pratap Singh ***Petitioner***
Mr. Sibanarayan Biswal, Advocate
-versus-
State of Odisha and others ***Opp. Parties***
Mr. Sarojananda Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

Order No. **ORDER**
17.02.2022

1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Joint Commissioner, Settlement and Consolidation, Berhampur- Opposite Party No. 3 for early disposal of SRP No. 385 of 2010.
3. Mr. Biswal, learned counsel for the Petitioner submits that the matter has not yet been considered and notice has not been issued to the opposite parties therein. He further submits that since the revision petition was filed with some delay, a petition under Section 5 of the Limitation Act has also been filed for consideration. He, therefore, prays for a direction for consideration of the petition under Section 5 of the Limitation Act at an early date. He further submits that a direction may be issued to the Joint Commissioner, Consolidation and Settlement, Berhampur- Opposite Party No.3 for early disposal of SRP No. 385 of 2010 immediately after condonation of delay in filing the revision petition.

4. Mr. Mishra, learned Additional Government Advocate for the State, on the other hand, submits that he has no instruction as to the status of the case before the said authority and pendency of the matters of similar nature before that court. Hence, he prays for some time to take instruction in the matter.

5. Taking into consideration the submissions made by learned counsel for the parties and in view of the order proposed to be passed, this Court feels it proper to proceed with the matter without waiting for the response from the Opposite Parties.

6. The writ petition is accordingly disposed of with a direction that in the event the Petitioner files a memorandum for consideration of the petition for condonation of delay in the aforesaid SRP No. 385 of 2010 within a period of two weeks hence along with certified copy of this order before the Joint Commissioner, Consolidation and Settlement, Bherampur- Opposite Party No.3, he shall do well to accept the same and take up the limitation petition filed along with SRP No. 385 of 2010 and fix a date as expeditiously as possible preferably within a period of four weeks from the date of filing such memorandum for consideration of the petition for condonation of delay, if the matter is otherwise ready.

7. A copy of this order shall be served on Mr. Mishra, learned Additional Government Advocate for information and communication.

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

(K.R. Mohapatra)
Judge

bks/ms