

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 5033 of 2022

Dilip Kumar Nirmalkar

.....

Petitioner

Mr. Manoj Kumar Panda, Advocate

Vs.

State of Odisha and Ors.

.....

Opposite Parties

Mr. P.P. Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

21.04.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. Manoj Ku. Panda, learned counsel for the petitioner and Mr. P.P. Mohanty, learned Additional Government Advocate for the State.

3. The petitioner has filed this writ petition assailing the order dated 09.12.2021 passed by the Sub-Collector, Nuapada in Sairat Appeal Case No. 01 of 2021, dismissing the appeal preferred by the petitioner and confirmed the order dated 05.01.2021 passed by the Tahasildar, Nuapada in Sairat Review Case No. 04 of 2020 and Sairat Misc. Case No. 05 of 2019.

4. Mr. Manoj Kumar Panda, learned counsel for the petitioner fairly stated that since there is dispute with regard to the over extraction of the minerals and for which royalty was demanded, this Court cannot adjudicate the same.

5. Having heard learned counsel for the parties and after going through the records, this Court is not inclined to entertain this writ

petition. However, liberty is granted to the petitioner to pursue his remedy before the appropriate forum in accordance with law as per Rule 46(5) of the Orissa Minor Minerals Concession Rules, 2016.

6. With the aforesaid liberty, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

Arun /Puspa

(SAVITRI RATHO)
JUDGE

