

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC NO. 1448 OF 2022

Manisha Pati

.... ***Petitioner***

Mr. Satyajit Mukherjee, Advocate

-versus-

***Anurag Behera, Tahasildar,
Bhubaneswar***

.... ***Opp. Party***

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

Order No.

ORDER
31.03.2022

I.A. No. 65 of 2022

2.
 1. This matter is taken up through hybrid mode.
 2. This is an application for amendment of the cause title of the contempt petition.
 3. Taking into consideration the averments made in this application, prayer for amendment is allowed.
 4. The I.A. is accordingly disposed of.

(K.R. Mohapatra)
Judge

CONTC NO. 1448 OF 2022

3.
 1. This matter is taken up through hybrid mode.
 2. This contempt petition has been filed alleging non-compliance of the order dated 7th June, 2021 passed in W.P.(C) No. 10915 of 2021.
 3. Mr. Mishra, learned Additional Standing Counsel, on written instruction received from the Tahasildar, Bhubaneswar, submits that

Grievance Misc. Case No.6199 of 2021 has already been disposed of by the Tahasildar, Bhubaneswar on 16th March, 2022. He also produces a copy of the said order before this Court, which is taken on record. A copy of the said order is also made over to the learned counsel for the Petitioner. Relevant portion of the said order reads as under:

“Verified the existing ROR of Mouza-Kalarahanga. The land in question is a leasehold land. The present petitioner being the subsequent purchaser has got her name recorded in Khata No. 761/417 of Mouza-Kalarahanga vide Mutation Case No.4579/2018.

As per Govt. in Revenue & D.M. Department Notification No.3063 dtd. 28.01.2021, it has been clearly mentioned/referred the earlier instruction issued vide letter No.47582 dtd. 12.10.19900 to guide recording of raiyati land. In Paragraph 23 of the said instruction, it is clearly indicated that in course of settlement operation in the (undivided) districts of Puri, Cuttack and Balasore, the land recorded status of Bajyapti Stitiban, Dakhal Satwa Bisista and Dakhal Satwa Sunya will be recorded in sthitiban status, if the ROR is settled/issued as per provision of Orissa Tenancy Act, 1913. Since, the case land is leasehold land and settled as per OGLS Act, 1962 the claim of petitioner to change the status “Sthitiban” is not applicable in the instant case. No specific instruction has been issued by Govt. for change of status of the leasehold land from Dakhal Satwa Sunya to Sthitiban.

With the above observations, the petition of the petitioner is not maintainable and hence rejected.”

4. In view of the above, nothing remains to be adjudicated in this contempt petition, which is accordingly dropped.

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

(K.R. Mohapatra)
Judge

bks