

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 5244 of 2022

Gitanjali Pradhan

....

Petitioner

Mr.Subhendu Kumar Nayak, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opposite Party Nos.1 and 2)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

18.04.2022

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. Petitioner in this writ petition seeks to set aside order dated 10th October, 2014 (Annexure-1) passed by Tahasildar, G.Udayagiri-Opposite Party No.2 in Mutation Case No.67 of 2014.
 3. In course of hearing, Mr. Nayak, learned counsel for the Petitioner submits that order impugned herein is appealable under Rule 42 of the Odisha Survey and Settlement Rules, 1962 (for short, 'the Rules'). Hence, he prays for withdrawal of the writ petition to avail the statutory remedy. He further submits that the delay in filing the appeal may be considered liberally.
 4. Mr. Mishra, learned ASC submitted that the Petitioner may file appeal against the order impugned herein. But, she has to explain the inordinate delay in filing such appeal, if any under Rule 42 of the Rules.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court disposes of the writ petition as withdrawn. It is, however, observed that if the appeal is filed within a period of two weeks hence, along with an application for condonation of delay, the same may be construed liberally taking into consideration the pendency of the writ petition before this Court since 21st February, 2022 along with other grounds.

Issue urgent certified copy of the order on proper application.



s.s.satapathy