

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 5537 of 2022

Bibekananda Sahoo

....

Petitioner

Mr. Paresh Kumar Mohanty, Advocate

-versus-

Joint Commissioner, Consolidation and Settlement, Odisha and others ***Opp. Parties***

Mr. Dilip Kumar Mishra,
Additional Government Advocate
(For Opposite Party No.1)

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
18.04.2022**

Order No.

1. This matter is taken up through hybrid mode.
2. On oral prayer of learned counsel for the Petitioner, he is permitted to implead State of Odisha, represented through its Principal Secretary, Revenue and Disaster Management Department, Government of Odisha, Bhubaneswar as Opposite Party No.13 to the writ petition in Court itself. He is also permitted to correct the description of Opposite Party No.1 as Joint Commissioner, Consolidation and Settlement, Odisha, Cuttack.
3. This writ petition has been filed for a direction for early disposal of RP Case No.657 of 2004 pending before the Joint Commissioner of Consolidation and Settlement, Odisha, Cuttack.
4. Mr. Mohanty, learned counsel for the Petitioner submits that although the matter is ready for hearing, but father of the Petitioner who has filed the revision petition has died in the

year 2019 and a petition for his substitution is pending before the Joint Commissioner. In spite of his best efforts the Joint Commissioner is neither entertaining said application nor taking any step for early disposal of the revision. In that view of the matter, the Petitioner is highly prejudiced.

5. Mr. Mishra, learned AGA submits that if the application for substitution of the revision petitioner is still pending before the Joint Commissioner, Consolidation and Settlement, Odisha, Cuttack he should take steps for early disposal of his substitution and also make an endeavour for disposal of the revision petition.

6. Taking into consideration the submissions made by learned counsel for the parties, this Court, without expressing any opinion on the merit of the case of the Petitioner, disposes of the writ petition with a direction that in the event the Petitioner files a memorandum for listing of application for substitution before the revisional Court within a period of two weeks hence along with certified copy of this order, the said revisional Court shall do well to consider the same and take steps for consideration of the application for substitution as expeditiously as possible, preferably within a period of eight weeks there from, if the matter is otherwise ready and there is no legal impediment for consideration of the application for substitution.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge