

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5586 of 2022

Dillip Kumar Samantaray & Ors. **Petitioner(s)**
Mr.S.K.Joshi, Advocate

-versus-

State of Odisha & Ors. **Opposite Party(s)**
Mr.S.Ghose, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
04.03.2022**

Order No.

1. Heard learned counsel appearing for the parties.
2. Petitioners have the simple allegation involving notice under Annexure-5 series that while issuing such notice, petitioners though have been afforded opportunity of argument but there is no opportunity of objection. In the meantime, it is alleged the Tahasildar being the competent authority is straightway proceeding for hearing without opportunity of objection.
3. Mr.Ghose, learned Additional Standing Counsel however in his opposition submitted that once the case is posted to 07.03.2022 and the notice was issued on 04.02.2022, nothing prevented the petitioners to file objection involving the notice. However, there is no prevention in filing even objection at the time of hearing.
3. Keeping this in view, this Court since finds the notice was issued to the petitioners on 04.02.2022 nothing prevented the petitioners to file their objection and unnecessarily approaching this Court for a direction. Be that as it may, since the case is posted to 07.03.2022, petitioners are permitted to make their appearance for argument along with their objection, if any, before the competent authority on the date fixed. In

the event petitioners press written objection, decision in the matter will be taken giving due regard to the objection of the petitioners, if any.

4. With this observation and direction, the writ petition stands disposed of.

(Biswanath Rath)
Judge

Sks

