

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6036 of 2022

Gunua Oram

....

Petitioner(s)

Mr. R.N. Behera,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. U.K. Sahoo,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
16.03.2022**

Order No.

01. 1. Drawing the attention of this Court to a development in the matter of recommendation following the rules, 2007 in favour of the Petitioner vide Annexure-2, learned counsel for Petitioner claims that once there is already recommendation by the competent authority, it should have been activated by completing the entire exercise within a reasonable period.
2. In the circumstance, this Court is requested to issue a mandamus for settling the land in favour of the Petitioner by completing the exercise vide Annexure-2.
3. Learned State Counsel in reference to the very same documents, objected the entertainability of such dispute after so much lapse of time and prays for dismissal of the writ petition.

4. Considering the submissions made by the learned counsel for the Petitioner and further submission made by the learned State Counsel and looking to the Annexure-1, this Court finds, the land is already settled in favour of one Radharani Sahoo in disposal of the Encroachment Case No.114/77-78 and there is already preparation of record of rights vide Annexure-2. Development taken place appears to be in 1980. This Court finds, there is highly belated approach to this Court. This Court, therefore, is unable to entertain such request after such lapse of time. This Court declining to entertain the writ petition dismissed the same on the ground of belatedness. If the Petitioner is so advised, may avail any other remedy available to him, which has to be disposed of on its own merit and involving the parties likely to be affected.

(Biswanath Rath)
Judge

Ayaskanta Jena