

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6446 OF 2022

Kartik Chandra Nath

....

Petitioner

Mr. Prabhat Kumar Das, Advocate

-versus-

Tahasildar, Jajpur

....

Opp. Party

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

30.03.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Tahasildar, Jajpur to dispose of the application filed under Section 34 of the Orissa Consolidation of Holdings and Prevention of Fragmentation of Land Act, 1972 (for short 'the Act') for permission to alienate Plot No.1071 under Chaka No.189 of Khata No.121 and Plot No.1114 under Chaka No.225 of Khata No.314 and Plot No.1090 under Chaka No.207 of Khata No.49 situated in Mouza Sansuar under Jajpur Tahasil in the district of Jajpur.
3. Although the Petitioner has annexed the copy of said application as Annexure-2, it does not bear any endorsement of the Tahasildar, Jajpur acknowledging acceptance of such application.
4. Mr. Mishra, learned Additional Standing Counsel submits that such a petition is not seen on the light of the day as the copy to the Petition does not contain the particulars to be incorporated more particularly, the market price of the land and

the copy of the Annexure-2 does not appear to be an office copy of the petition so filed. There is no material on record to show that such an application was, in fact, filed. In that view of the matter, he prays for dismissal of the writ petition.

5. Taking into consideration the averments made in the writ petition as well as submission of Mr. Mishra, learned Additional Standing Counsel, it is very difficult on the part of this Court to issue a direction for early disposal of the petition stated to have been filed on 18th September, 2021 before the Tahasildar, Jajpur. In that view of the matter, I am not inclined to entertain the writ petition.

6. Be that as it may, the Petitioner, if so advised, may file a properly constituted petition before the Tahasildar, Jajpur.

7. This writ petition is accordingly disposed of.

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

(K.R. Mohapatra)
Judge

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