

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6450 OF 2022

Ramchandra Panda and another* *Petitioners

Mr. Prabhat Kumar Das, Advocate

-versus-

Tahasildar, Dasarathpur* *Opp. Party

Mr. Swayambhu Mishra,
Additional Standing Counsel

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

**ORDER
31.03.2022**

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioners in this writ petition pray for a direction to the Tahasildar, Dasarathpur 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.137 under Chaka No.37 of Khata No.249 situated in Mouza Khandara under Darathpur Tahasil in the district of Jajpur.
3. Although the Petitioners have annexed the copy of said application as Annexure-2, it does not bear any endorsement of the Tahasildar, Dasarathpur 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 29th October, 2021 before the Tahasildar, Dasarathpur. In that view of the matter, I am not inclined to entertain the writ petition.

6. Be that as it may, the Petitioners, 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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