

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 6711 of 2022

P. Rajesh Kumar

..... Petitioner

Mr. Niranjan Maharana, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Sarojananda Mishra,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

02.05.2022

Order No.

3. 1. This matter is taken up through Hybrid mode.
2. Petitioner in this writ petition prays for a direction for early disposal of Revisional Appeal (Annexure-4) filed by him under Section 5 of the Odisha Right to Public Service Act, 2012 and also for a direction to Tahasildar, Kotpad to dispose of Mutation Case Nos. 1160, 1161 and 1162 of 2020 pending before him at an early date.
3. Counter Affidavit sworn in by Additional Tahasildar, Kotpad filed in Court is taken on record. Copy of the same has been served on learned counsel for the Petitioner.
4. Enclosing order sheet in the aforesaid Mutation Cases, it is stated in paragraph-10 of the counter affidavit that due to pendency of CS No. 145 of 2015 before Civil Judge (Senior Division), Jeypore, aforesaid Mutation Cases have already been disposed of by separate orders on 18th June, 2021. Mr. Mishra, learned AGA submits that the Petitioner being well-aware of the same has filed this writ petition suppressing the aforesaid material facts. Thus, the appeal filed under Section 5 of the

provisions of the Odisha Right to Public Service Act, 2012 is misconceived. Hence, the writ petition is liable to be dismissed.

5. In view of the statements made in the counter affidavit and on perusal of the order sheets enclosed to it, this Court is of the considered opinion that in view of disposal of the mutation cases, as aforesaid, the appeal stated to have been filed by the Petitioner under Section 5 of the Odisha Right to public Service Act, 2012 is misconceived. The prayer for early disposal of the aforesaid mutation cases is also equally misconceived, as no such mutation case was pending for adjudication at the time of filing of the writ petition.

6. Accordingly, the writ petition stands dismissed.

(K.R. Mohapatra)
Judge

s.s.satapathy