

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 7091 OF 2022

Kali Charan Behera ***Petitioner***

Mr. Ganesh Prasad Samal, Advocate
-versus-

Collector, Balasore and others ***Opp. Parties***

Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
05.04.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioner in this writ petition is with regard to inaction of the Tahasildar, Jaleswar-Opposite Party No.2 in demarcating Plot No.163 under Khata No.86 situated in Mouza Diha Bela Baria under Jaleswar Tahasil in the district of Balasore under Annexure-1 (for short 'the case land').
2. Mr. Samal, learned counsel for the Petitioner submits that although the case land is recorded in the name of the Petitioner under Annexure-1, the boundary tenants are creating disturbance for which the Petitioner made an application on 9th July, 2021 under Annexure-3 for demarcation of the case land. It is also submitted that no civil, criminal or other proceeding is pending in respect of the case land and there is no legal impediment for demarcation of the case land. But the Tahasildar, Jaleswar-Opposite Party No.2 has not taken any action on the same for which this writ petition has been filed.
3. Mr. Mishra, learned Additional Government Advocate submits that the application under Annexure-3 was not in proper

format. If the Petitioner makes an application in proper format complete in all respect, the same can be entertained by the Tahasildar, Jaleswar in accordance with law.

4. Taking into consideration, the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case disposes of the writ petition with a direction that in the event the Petitioner files an application for demarcation of the case land in proper format complete in all respect enclosing a certified copy of this order within a period of two weeks hence, the Tahasildar, Jaleswar-Opposite Party No.2 shall do well to entertain the same and make an endeavour for its early disposal within a period of eight weeks therefrom by issuing notice to the Petitioner as well as boundary tenants to participate in the hearing of the demarcation case and also to be present at the time of demarcation of the case land, if there is no legal impediment.

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

(K.R. Mohapatra)
Judge

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