

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7118 of 2022

Birabar Behera

....

Petitioner

*Mr. N. Panda,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. A.K. Nanda,
Additional Government Advocate*

**CORAM:
JUSTICE BISWAJIT MOHANTY
JUSTICE BIRAJA PRASANNA SATAPATHY**

ORDER

31.03.2022

Order No.

- 01.
1. This matter is taken up through video conferencing mode.
 2. Heard Mr. N. Panda, learned counsel for the petitioner and Mr. A.K. Nanda, learned Additional Government Advocate.
 3. According to Mr. Panda, the petitioner is aggrieved by the inaction of the authorities in settling a piece of land in his name though under law, he is entitled to such benefit.
 4. Mr. Nanda submits that since it appears that Encroachment Case No.257/19-20 is pending against the petitioner as revealed from Annexure-1, instead of rushing to this Court, the petitioner should have filed an appropriate application in the said proceeding for settlement of land in his name. In such background, Mr. Panda submits that liberty may be granted to the petitioner to file an appropriate application in the said proceeding pending before the Tahasildar, Gania (opposite party No.4) and the said opposite party be directed to take a decision on such motion within a specific time period.
 5. Considering the submissions made and without

expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to file an appropriate application before the Tahasildar, Gania (opposite party No.4) in connection with the above noted proceeding within a period of two weeks from today. In the event, such an application is filed along with a certified copy of this order, the opposite party No.4 is directed to take a decision on the same in accordance with law within a period of six months from the date of receipt of such application and communicate the result of such exercise to the petitioner.

6. Accordingly, this writ petition is disposed of.

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

Prasant

