

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 7166 of 2022

Khitish Kumar Das and another* *Petitioners

Mr. Dinabandhu Nayak, Advocate

-versus-

Commissioner, Land Records and Settlement, Odisha and others* *Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opposite Party No.1)

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

**ORDER
30.03.2022**

Order No.

1. This matter is taken up through hybrid mode.
2. This writ petition has been filed for a direction for early disposal of RP Case No.470 of 2021 pending before the Commissioner of Land Records and Settlement, Odisha, Cuttack.
3. Mr. Nayak, learned counsel for the Petitioners submits that although the Revision application has been filed since 10th November, 2021 under Sections 15(b) and 25 of the Odisha Survey and Settlement Act, 1958 along with the petition for condonation of delay, the same has not yet been taken up. It is submitted that there is no legal impediment to take up the limitation application for consideration. In spite of the best efforts of the Petitioners, the Commissioner is not taking up the limitation petition for consideration and issuance of notice to the opposite parties.

4. Mr.Mishra, learned ASC submits that he has no instruction in the matter. However, he submits that the Revision petition appears to have been filed after the statutory period. Hence, the Petitioners may move the revisional Court to take up the limitation petition for consideration.

5. Upon hearing learned counsel for the parties, this Court is of the considered opinion that the Commissioner of Land Records and Settlement, Odisha, Cuttack should take up the limitation petition for consideration. Accordingly, it is directed that on filing of a memorandum by the Petitioner to take up the limitation matter filed along with RP Case No.470 of 2021 within a period of two weeks hence along with certified copy of this order, the Commissioner shall take up the limitation petition as expeditiously as possible, preferably within a period of eight weeks there from, if the same is otherwise ready and there is no legal impediment.

6. With the aforesaid observation and direction, the writ petition is disposed of.

7. A copy of this order shall be served on Mr. Mishra, learned ASC for information and communication.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge