

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 7637 OF 2022

Rajendra Kumar Jena

....

Petitioner

Mr. Satyaranjan Mohapatra, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

12.04.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to dispose of the application filed under Section 8-A of the Odisha Land Reforms Act, 1960 (for short 'the Act').
3. It is submitted by Mr. Mohapatra, learned counsel for the Petitioner that the Petitioner in order to convert his agricultural land i.e. Hal Plot No.1347 to an extent of Ac.0.350 decimals under Hal Khata No.231 situated in Mouza Palliraghunthpur under Derabis Tahasil in the district of Kendrapara filed an application under Section 8-A of the Act on 23rd July, 2020 (Annexure-2), which has neither been registered nor taken up by the Tahasildar, Derabis for consideration.
4. In course of hearing, Mr. Mohapatra, learned counsel for the Petitioner submits that interest of justice will be best served, if the Petitioner files a fresh application in proper format complete in all respect and a direction may be made for

consideration of the same in accordance with law within a stipulated period.

5. Mr. Mishra, learned Additional Standing Counsel submits that he has no objection, if the Petitioner files a fresh application for conversion of the land in proper format. However, on submission of such application, the Tahasildar, Derabis has to examine the same and pass necessary order in accordance with law.

6. Taking into consideration the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case of the Petitioner disposes of this writ petition with a direction that in the event the Petitioner files an application for conversion of the aforesaid plot of land to be used for homestead purpose within a period of two weeks hence along with certified copy of this order, the Tahasildar, Derabis shall do well to consider the same in accordance with law and take a decision thereon as expeditiously as possible, preferably within a period of six months therefrom following due procedure of law.

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

(K.R. Mohapatra)
Judge

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