

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.8756 of 2020**

**Pratap Chandra Sahoo** .... **Petitioner**

*Mr. A. Behera,  
Advocate*

*-versus-*

**State of Odisha & others** .... **Opp. Parties**

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

**CORAM:  
JUSTICE BISWAJIT MOHANTY  
JUSTICE SAVITRI RATHO**

**ORDER**

**26.08.2022**

**Order No.**

14.

1. Heard Mr. A. Behera, learned counsel for the petitioner and Mr. A.K. Nanda, learned Additional Government Advocate.
2. In this writ petition, the petitioner has made two prayers. First one is to handover possession of Plot Nos.58 & 176 pertaining to Khata No.313/15 covering an area of Ac.0.268 decimals and the second prayer is for a direction to the opposite parties to settle the rest of the land in favour of the petitioner as per circular dated 16.04.1998 under Annexure-1. So far as the first prayer is concerned, order No.13 dated 29.07.2022 makes it clear that the petitioner is not pressing the first prayer as possession of both plots have already been handed over to the petitioner. With regard to second prayer, as directed Mr. Nanda files an affidavit in Court today, copy of which has been served on the learned counsel for the petitioner on 25.08.2022 and submits that the circular dated 16.04.1998 under Annexure-1 nowhere states that a landless Ex-Serviceman is entitled to get

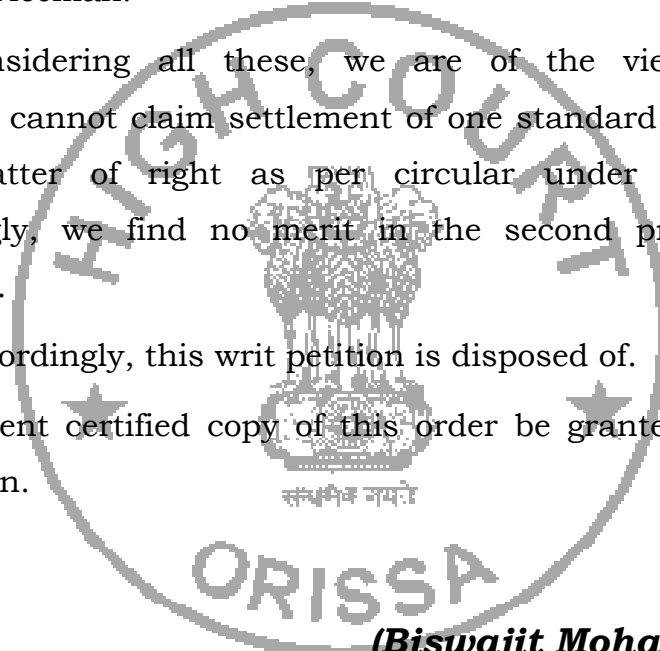
allotment of one standard acre of land rather, the circular only states that the landless Ex-Serviceman shall be entitled for allotment of land up to one standard acre. In such background, he submits that the second prayer of the petitioner is without any merit.

3. A perusal of the circular under Annexure-1 clearly reveals at para-2 that maximum quantum of land that can be settled with an Ex-Serviceman is one standard acre. It does not say that an eligible Ex-Serviceman should get one standard acre of land. Further in the affidavit, it is also mentioned that there exists no surplus government land in the locality to be provided to Ex-Serviceman.

4. Considering all these, we are of the view that the petitioner cannot claim settlement of one standard acre of land as a matter of right as per circular under Annexure-1. Accordingly, we find no merit in the second prayer of the petitioner.

5. Accordingly, this writ petition is disposed of.

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



**(Biswajit Mohanty)**  
**Judge**

**(Savitri Ratho)**  
**Judge**

Prasant