

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 7689 of 2022

Mira Santuka

....

Petitioner

Mr. Amit Prasad Bose, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

04.04.2022

Order No.

1. This matter is taken up through hybrid mode.
2. Petitioner in this writ petition prays for a direction for early disposal of Demarcation Case No.15 of 2020 pending before Tahasildar, Athagarh-Opposite Party No.2.
3. It is submitted by learned counsel for the Petitioner that Demarcation Case No.15 of 2020 has been filed before Tahasildar, Athagarh-Opposite Party No.2 for demarcation of Plot Nos.1092, area Ac.0.57 decimal, Plot No.1056/1506, area Ac.0.04 decimal, Plot No.1089/1509 area Ac.4.39 decimal (total area Ac.5.00 decimal) under Khata No.265/235 in mouza Kushapangi under Athagarh tahasil (for short, 'the case land'). Although the Tahasildar initially issued notice fixing demarcation on 22nd October, 2021, but no endeavour was made thereafter for demarcation of the case land. He, therefore, finding no other alternative, has filed the present writ petition.
4. Mr. Mishra, learned ASC submits that he has no instruction in the matter. However, if the Demarcation Case

No.15 of 2020 is pending before Tahasildar, Athagarh and there is no legal impediment for disposal of the same, the Tahasildar, Athagarh should take steps for its disposal following due procedure of law.

5. Taking into consideration the submissions of learned counsel for the parties, this Court without expressing any opinion on the merits of the Demarcation case, disposes of the writ petition with a direction that on production of certified copy of this order within a period of two weeks hence, Tahasildar, Athagarh-Opposite Party No.2 shall do well to take steps for disposal of the Demarcation Case No.15 of 2020 as expeditiously as possible preferably within a period of eight weeks there from by issuing notice to the Petitioner as well as boundary tenants to participate in the hearing of the Demarcation Case and to be present at the time of demarcation, if there is no legal impediment.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge