

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 7791 OF 2022

Limiri Padra

.... ***Petitioner***
Mr. Ashit Kumar Dash,
Advocate

-versus-

State of Odisha and others

.... ***Opp. Parties***

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
19.04.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Sub-Collector, Balliguda-Opposite Party No.4 to entertain her application as at Annexure-2 for grant of permission to alienate Plot No.526 under Khata No. 61 to an extent of Hc.0.103 situated in mouza Daringbadi under Daringbadi Tahasil in the district of Kandhamal (for short 'the case land').
3. It is submitted by Mr. Dash, learned counsel that to meet her legal necessity, the Petitioner submitted a representation to the Sub-Collector, Balliguda-Opposite Party No.4 for grant of permission to alienate the case land under Section 22 of the O.L.R. Act, 1960 (for short 'the Act'). Although the Opposite Party No.4 has received the said application, but no action has yet been taken to consider the same. Since the Petitioner has approached the Opposite Party No.4 time and again to consider her application, but to no effect. Hence, this writ petition has been filed.

4. Mr. Mishra, learned Additional Standing Counsel submits that the application stated to have been filed is in form of a representation sent through registered post. The Petitioner has to file an application in proper format before the Sub-Collector, Balliguda- Opposite Party No.4 for grant of permission to alienate the case land under Section 22 of the Act enclosing relevant documents in support of her case. The Petitioner, if so advised, may make an application in proper format to grant permission under Section 22 of the Act, which can be considered in accordance with law.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court disposes of this writ petition with a direction that in the event the Petitioner files an application under Section 22 of the Act within a period of two weeks hence along with certified copy of this order, the Sub-Collector, Balliguda-Opposite Party No.4 shall do well to consider the same in accordance with law as expeditiously as possible preferably within a period of eight weeks therefrom, giving opportunity of hearing to the parties concerned and communicate the order to the Petitioner forthwith.

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

(K.R. Mohapatra)
Judge

bks