

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 7922 OF 2022

Dillip Kumar Naik

.... Petitioner

Mr. Niranjana Panda, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Dillip Kumar Mishra,
Additional Government Advocate

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

Order No.

**ORDER
05.04.2022**

1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioner in this writ petition is with regard to inaction of Tahasildar, Tarva-Opposite Party No.4 in disposing of Demarcation Case No. 198 of 2020 pending before him.
3. It is submitted by Mr. Panda, learned counsel for the Petitioner that due to disturbance created by the boundary tenants, the Petitioner filed an application for demarcation of the land recorded in his name in Demarcation Case No. 198 of 2020. Although the Tahasildar, Tarva initially issued notice for hearing of the said demarcation case on 2nd February, 2021, but no endeavour was made thereafter for its disposal. It is his submission that there is no civil suit, revenue or other proceeding pending in respect of the land in question and there is no legal impediment for demarcation of the case land. Due to inaction of the Tahasildar,

Tarva in disposing of Demarcation Case No. 198 of 2020, the Petitioner finding no other alternative has filed this writ petition.

4. Mr. Mishra, learned Additional Government Advocate submits that he has no instruction in the matter. However, the Tahasildar, Tarva may take steps for early disposal of Demarcation Case No.198 of 2020, if there is no legal impediment.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case disposes of this writ petition with a direction that on production of certified copy of this order within a period of two weeks hence, the Tahasildar, Tarva-Opposite Party No.4 shall do well to make an endeavour for early disposal of Demarcation Case No. 198 of 2020 as expeditiously as possible preferably within a period of eight weeks therefrom by issuing notice to the Petitioner as well as boundary tenants to participate in the hearing of the demarcation case and also to be present at the time of demarcation of the land in question, if there is no legal impediment.

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

(K.R. Mohapatra)
Judge

bks