

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17226 of 2006

Shanti Kumar Agarwal and others ***Petitioners***

Mr. S.S. Rao, Advocate

-versus-

State of Orissa and others ***Opposite Parties***

Mr. Debakanta Mohanty, A.G.A.

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAIAK**

ORDER

08.03.2022

Order No.

18. **I.A. No. 17952 of 2018 and I.A. No.1678 of 2020**

1. For the reasons stated, the I.As. for substitution vice deceased Petitioner Nos.1 and 2 are allowed.

2. The legal representatives of the Petitioner Nos.1 and 2 as indicated in the cause title of the I.As. are brought on record.

I.A. No.2944 of 2022

1. For the reasons stated, the present I.A. for substitution vice deceased-Opposite Parties is allowed.

2. Accordingly, the names of Opposite Party Nos.3, 4, 5, 7, 10, 13, 14, 16, 18 & 19 be deleted and the legal representatives of Opposite Party Nos.3, 4, 5, 10, 19 as indicated in the I.A. are brought on record.

3. The consolidated cause title incorporating the substitution be filed in course of the day.

W.P.(C) No.17226 of 2006

1. It appears that against an order dated 22nd June 2006 passed by the Additional District Magistrate, Cuttack dismissing OEA

Appeal Case No.1 of 1997, the present writ petition has been filed by the Petitioners without going before the Board of Revenue in a revision petition.

2. Consequently, the Court permits the present Petitioners to file an appropriate application before the Board of Revenue against the impugned order dated 22nd June 2006 passed in OEA Appeal Case No.1 of 1997.

3. If such revision petition is filed not later than 2nd May 2022 accompanied by an application for condonation of delay explaining the delay on account of pendency of the present petition, such application will be considered on its merits. The Court clarifies that it has not expressed any view in the matter. Status quo order passed by this Court on 7th March 2011 will continue till such time the Board of Revenue passes an order in the application for interim relief to be filed along with revision petition by the Petitioners provided it is filed within the time stipulated by this Court hereinbefore.

4. The writ petition is disposed of in the above terms.

5. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge