

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 8113 OF 2022

Gandharb Parida

.... Petitioner

Mr. Asmiya Ranjan Majhi,
Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

12.04.2022

Order No.

1. This matter is taken up through hybrid mode.
2. This writ petition has been filed for issuance of necessary R.O.R. in favour of the Petitioner in respect of the land he is in possession.
3. Mr. Majhi, learned counsel for the petitioner submits that the Petitioner is in possession over the land in question from the time of his ancestor, who has been allotted with the land in Hal Plot No.831 under Hal Khata No.259 to an extent of Ac.0.20 decimals corresponding to Sabik Plot No. 758/2 under Sabik Khata No.77 in mouza-Radhadamodarpur under Athgarh Tahasil in the district of Cuttack. The said allotment was done by the then Darbar Administration of ex-ruler of Athagarh. But, R.O.R. in respect of the land in question has not yet been issued to him. In that regard, he has raised his grievances before the different authorities including Tahasildar, Athagarh-opposite party No.4 by filing application under Annexure-2. But, no action has yet been

taken on the same. He further submits that this Court while adjudicating similar such writ petitions including W.P.(C) No.14421 of 2020 disposed of on 26.06.2020, directed the Sub-Collector, Athagarh to look into the grievance of the petitioners therein and to take a decision in accordance with law considering the grounds taken in their applications and documents filed in support of their case. He, therefore, prays for disposal of this writ petition in the light of the said order.

4. Mr. Mishra, learned Additional Government Advocate for the State though objected to the prayer of the Petitioner for issuance of R.O.R. in his favour in respect of the land in question, but submits that since this Court in similar matter has already taken a view directing the Sub-Collector, Athagarh to take a decision on the applications of the petitioners therein in accordance with law, this writ petition may be disposed of in the light of the said order.

5. Considering the fact that on the self-same issue, this Court previously directed the Sub-Collector, Athagarh to take a decision on the applications of the petitioners, I do not want to take a different view in this matter.

6. Accordingly, it is directed that the Tahasildar, Athagarh- Opposite Party No.4 shall do well to take a decision on the application filed by the Petitioner as at Annexure-2 in accordance with law taking into consideration the grounds taken therein and documents filed in support of his case as expeditiously as possible preferably within a period of three months from the date of production of certified copy of this order.

7. It is made clear that this Court has not expressed any opinion on the merits of the case of the Petitioner.

8. It is further directed that in the event the petitioner is still in occupation of the land in question, there shall be *status quo* in respect of the disputed land in question till a decision is taken by the Tahasildar, Athagarh-opposite party No.4.

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

(K.R. Mohapatra)
Judge

bks

