

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 8406 OF 2022**

***Jalil Khan***

....

***Petitioner***

Mr. Subhendu Kumar Nayak, Advocate

*-versus-*

***Sub-Collector, Sadar Cuttack and  
others***

....

***Opp. Parties***

Mr. Sarojananda Mishra,  
Additional Government Advocate

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

**ORDER  
21.04.2022**

**Order No.**

01. 1. This matter is taken up through hybrid mode.
2. On the oral prayer of Mr. Nayak, learned counsel for the Petitioner, he is permitted to implead the State of Odisha represented through its Commissioner-cum-Principal Secretary, Revenue and Disaster Management Department, Government of Odisha, Bhubaneswar as Opposite Party No.4 to the writ petition in Court itself.
3. The Petitioner in this writ petition prays for a direction to the Sub-Collector, Sadar Cuttack-Opposite Party No.1 to take up K.L.C. Appeal No.19 of 2021 for consideration for issuance of notice to the Opposite Parties.
4. Mr. Nayak, learned counsel for the Petitioner submits that although K.L.C. Appeal No.19 of 2021 was filed since June, 2021, but the same has not yet been taken up for issuance of notice. In spite of his repeated endeavour made to get the matter considered for issuance of notice to the Opposite Parties, the same has not yet been taken up by the Sub-Collector, Sadar Cuttack. In view of the above, this writ petition has been filed for the aforesaid relief.

5. Mr. Mishra, learned Additional Government Advocate raised a preliminary objection to the effect that Opposite Party No.3 to the writ petition has not been impleaded as Respondent to K.L.C. Appeal No.19 of 2021. As such, the appeal is not maintainable for non-joinder of necessary party.

6. In that view of the matter, this writ petition is disposed of with a direction that in the event the Petitioner files a memorandum for consideration of the aforesaid K.L.C. Appeal No.19 of 2021 for issuance of notice to the Opposite Parties along with certified copy of this order before the Sub-Collector, Sadar Cuttack-Opposite Party No.1, he shall do well to accept the same and fix a date, preferably within a period of eight weeks from the date of filing such memorandum for consideration of the matter for issuance of notice to the Opposite Parties therein, if the matter is otherwise ready.

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

संयोजक न्याय (K.R. Mohapatra)  
Judge

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