

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 10136 of 2013

Epari Krishnan Rao & Ors. ***Petitioners***

Mr. Sanjaya Kumar Samantaray, Advocate

-versus-

State of Odisha & Others ***Opposite Parties***

Mr. Debakanta Mohanty, AGA

CORAM:

THE CHIEF JUSTICE

DR. JUSTICE S. K. PANIGRAHI

ORDER

25.07.2022

Order No.

- 04.
1. During pendency of the petition, the Petitioner No.1 has died. The present petition is being pursued by his legal representatives (LRs).
 2. On the short ground that the impugned order of the Additional Tahaisldar, Bhubaneswar dated 26th October, 2002 in W.L. Lease Case No.836 of 1972 resuming the lease was passed without notice to Petitioner No.1 who had purchased the land in question under Registered Sale Deed on 30th May 1989, the impugned order is set aside and W.L. Lease Case No.836 of 1972 is restored to the file of Additional Tahasildar, Bhubaneswar. It will be listed before him on 14th of September, 2022. The LR's of Petitioner No.1 will appear before the said authority on the date fixed along with a downloaded copy of this order.
 3. The LR's of Petitioner No.1 are hereby permitted to pursue the matter before the Additional Tahasildar, Bhubaneswar. The

Additional Tahasildar, Bhubaneswar will dispose of W.L. Lease Case No.836 of 1972, after hearing the LR's of Petitioner No.1, within a period of four months from the above date fixed for hearing before him. Till then, the interim order passed by this Court on 16th May, 2013 will continue.

4. The petition and application are disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(Dr.S. K. Panigrahi)
Judge



Lingaraj Behera