

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.12131 OF 2012

Himansu Hati and another *Petitioner(s)*
Miss.D.Mahapatra,
Advocate

-versus-

State of Orissa and others *Opposite Party(s)*
Mr.S.P.Panda,
AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
06.09.2022

Order No.

08.

1. Heard learned counsel for the Parties.
2. This Writ Petition involves a challenge to the impugned order at Annexure-3 and order dated 14.03.2002 solely on the ground that Petitioners being the land owners are not noticed and therefore the impugned judgment is suffering on account of violation of minimum natural justice.
3. On the submission of the respective counsel on the ground that there is no proper opportunity before concluding sou motu proceeding registered under the provision of Section 22 of OSS Act, this Court interferes in the order at Annexure-3 and setting aside the same and relegating the matter back to the competent authority for re-adjudication of Sou Motu Appeal No.139 of 2001 but in the involvement of the present Petitioners and also the parties likely to be affected. The re-disposal should also be achieved within a period of four months on submission of the certified copy of this order by the Petitioners.

4. Since the matter is decided in the hearing of the Petitioners, Petitioners are directed to appear before the Appellate Authority along with copy of the order as well as their objection, if any, to the proceeding along with required documents on 22nd September, 2022.

5. Free copy of this order be handed over to Mr. Panda, learned Additional Government Advocate for necessary instructions.

(Biswanath Rath)
Judge

Swarna

