

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.7945 OF 2019

Ashok Kumar Ray

....

Petitioner(s)
Mr.A.C.Panda,
Advocate

-versus-

State of Orissa and others

....

Opposite Party(s)
Mr. S.Ghose,
AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
29.07.2022

Order No.

07.

1. Heard learned counsel for the Parties.

2. The Writ Petition involves the following prayer:

“It is therefore most respectfully prayed that this Hon’ble Court may pleased to issue appropriate Writ/Writs calling upon the Opp. Parties to show cause as to why the rents in respects of the land under Annexure-1 shall not be accepted from this petitioner,

And in alternative if it is found that the sthitiban land of this petitioner has been taken away to the Government Khata, the same may be reverted back to the name of this petitioner in a corrected ROR.

If the Opp. Parties fail to show cause and/or show insufficient cause the Writ application may be allowed by issuing appropriate Writ/writs against the Opp. Parties.

And such other relief/reliefs to which the petitioner may found entitled to be granted in his favour.”

3. The Petitioner seeks direction to the competent authority for acceptance of rent on the foundation through Annexure-1. Further in reference to the land revenue receipts appearing at pages-17 to 22, the Coordinate Bench of this Court has directed State Counsel to file counter. Filing counter, the competent authority has brought to the

notice of this Court through Annexure-B/4 indicating that there has been change in the ownership of the property involved in Annexure-1 long since and thus Petitioner's request for acceptance of rent cannot be accepted.

4. For the land involved herein in the meantime has been recorded in favour of the State and the Petitioner has no dispute to this recording, this Court finds, the Petitioner has first remedy to get over the difficulty in publication of Annexure-B/4.

5. In the circumstance this Court finds, the Writ Petition has no remedy for the Petitioner. The Writ Petition stands dismissed for not being entertainable.

6. For the specific counter view, dismissal of the Writ Petition shall not stand on the way of the Petitioner in attempting to seek correction in the recording in Annexure-B/4, if any, under any provision of law.

(Biswanath Rath)
Judge

Swarna