

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 1284 of 2013

Jayanta Kumar Rath

....

Petitioner

Mr. S.P. Misra, Senior Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Debakanta Mohanty, AGA

CORAM:

THE CHIEF JUSTICE

JUSTICE R. K. PATTANAİK

ORDER

19.07.2022

Order No.

05. 1. The challenge in the present petition is to an order dated 24th September 2002, passed by the Additional Tahasildar, Bhubaneswar in W.L. Case No.866 of 1972 under Section 3-B of the Orissa Government Land Settlement Act, 1962 (OGLS Act), cancelling the lease originally granted in favour of the vendor of the present purchaser.
2. On the short ground that the purchaser had purchased the land in question by a Registered Sale Deed dated 28th July, 1989, i.e., much prior to the cancellation of the lease and the impugned order was passed without notice to the present Petitioner, the said impugned order is hereby set aside. The aforementioned W.L. Case No.866 of 1972 is restored to the file of the Additional Tahasildar, Bhubaneswar and will be listed there on 6th September, 2022 on which date the Petitioner will appear along with the downloaded copy of this order. The Additional Tahasildar will thereafter

proceed in accordance with law and dispose of the said case within a period of six months thereafter. Status quo as to the land in question shall be maintained till then.

3. It will be open to the Petitioner to file an affidavit of objection along with the documents before the Additional Tahasildar.

4. The writ petition is disposed of in the above terms.

S. Behera



(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge