

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5361 of 2013

Jamuna Suna and others

....

Petitioners

M/s. P.K. Kar, Advocate and associates

-versus-

***The Sub-Collector, Titilagarh and
others***

.... ***Opposite Parties***

Mr. Debakanta Mohanty, A.G.A. for the State

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K. PATTANAİK

ORDER

08.08.2022

Order No.

05.

1. From the impugned order dated 11th January 2013 of the Sub-Collector, Titilagarh in Misc. Appeal Case No.1 of 2013, it is noticed in the 1st paragraph itself that the challenge is to an order passed by the Tahasildar, Kantabanji in Bebandobasta Case No.24 of 2001 and yet the appeal was dismissed on the ground that it is preferred against an order of a Chowkidari Case No.503/65-66.

2. Learned counsel for the Petitioners states that the appeal was not against the aforementioned order in a Chowkidari Case, but only against the order passed by the Tahasildar, Kantabanji in Bebandobasta Case.

3. In view of the categorical assertion made by the learned counsel for the Petitioners, the impugned order dated 11th January 2013 of the Sub-Collector, Titilagarh is hereby set aside and Misc. Appeal Case No.1 of 2013 is restored to the file of the Sub-Collector, Titilagarh to be proceeded with in accordance with law since the

appeal is in fact against an order passed by the Tahasildar in a Bebandobasta Case. Such appeal case will be listed before the Sub-Collector, Titilagarh on 19th September 2022 on which date the present Petitioners will appear along with a downloaded copy of this order. The Sub-Collector is requested to dispose of the appeal within a period of four months thereafter.

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

5. Issue urgent certified copy of this order as per rules.

S.K. Guin

