

IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) NO.9472 OF 2022

Md.Shakeel

....

Petitioner

Mr.K.N.Parida, Adv.

-versus-

***The Collector & District Magistrate,
Cuttack & ors.***

....

Opposite Parties

Mr.S.Ghosh, AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
22.6.2022

Order No.

03

1. Heard learned counsel for the Parties.
2. This is a Writ Petition with the following prayer :-

“The Petitioner, therefore, prays that your Lordship’s may be graciously pleased to admit the present Writ and to issue RULE NISI to the Opp.Parties to show cause as to ;

Why the Opp.Parties will not be directed to supply the Certified copy of the Settlement Khata No.44/16, 44/14, 44/17, 1344/17 to the Petitioner within a stipulated time;

If the Opp.Parties do not show cause or show insufficient cause then the RULE be made absolute by issuing appropriate writ/direction/order as the circumstances justify and any other order as deem fit be passed in the interest of justice...”

3. Considering the objection of the learned Additional Government Advocate that the Tahasildar Office is not in receipt of any Application involved herein but however there is receipt of fees only as per their Record, this Court on perusal of Annexure-6 finds,

the Additional Tahasildar, Baranga himself has disclosed to have received the Application dated 19.1.2022 and thereafter indicated therein on the non-availability of certain Records.

4. For the opinion of this Court, once a copy application is received involving supply of certified copy of documents indicated therein, it is for the Authority concerned either to allow the copy application or reject the same on valid ground but such contingency cannot permit the Authority to sit over the application. Since Annexure-6 establishes receipt of copy application on 19.1.2022, the Authority concerned, i.e., Tahasildar, Baranga is directed to consider the copy application of the Petitioner dated 19.1.2022 and take action, as deem fit and proper at least by completing such working within seven days from the date of communication of this order by the learned State Counsel as well as the Petitioner.

5. The Writ Petition stands disposed of accordingly.

6. A free copy of this order be supplied to Mr.Ghosh, learned Additional Government Advocate for communication purpose.

(Biswanath Rath)
Judge

M.K.Rout