

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.14408 of 2010

Gopala Krushna Mohanty.

.... Petitioner(s).

Mr. B.P.Das, Advocate

-versus-

Sub-Collector, Gunupur & Ors.

.... Opposite Party(s)

Mr. S.P.Panda, AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

15.09.2022

Order No.

4. Heard learned counsel for the Parties.
2. In this writ petition the petitioner has prayed for a direction to the Sub-Collector, Gunupur, O.P.1 to accept the return/rent as per Section 3(B) of Regulation 2 of 1956.
3. Petitioner alleged that non-acceptance of return under Section 3(B) of Regulation 2 of 1956 runs contrary to the direction of this Court in a batch of writ petitions. On perusal of one such order, this Court finds that identical matters came up for consideration before this Court in W.P.(C) No.10142 of 2015. A single Bench of this Court relying on the order dated 9.5.2011 passed by a Division Bench of this Court in W.P.(C) No.11562 of 2009 directed the authorities to accept the return of the petitioner.
4. In view of the above, this Court directs that in the event the petitioner files Form No.II return along with a limitation application within a period of fifteen days from today before the Sub-Collector, Gunupur, the same shall be accepted and the delay be condoned provided the land for which permission was given covers the land

indicated in the sale deed executed in favour of the petitioner. In the event the Sub-Collector, Gunupur, O.P.1 accepts Form-II and proposes to initiate any proceeding against the petitioner under Section 3(B) of the Orissa Regulation No.2 of 1956 the return filed by the petitioner shall be taken into consideration.

5. The writ petition is accordingly disposed of.

(Biswanath Rath)
Judge

sks

