

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 9751 OF 2022

Basant Nayak

Petitioner

Mr. Siba Narayan Biswal, Advocate
on behalf of

Mr. Banabihari Ray, Advocate

-versus-

The Commissioner, Consolidation and Settlement, Odisha, Cuttack and another ***Opp. Parties***

Mr. Swayambhu Mishra,
Additional Standing Counsel

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
06.05.2022**

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition prays for a direction to the Commissioner, Consolidation and Settlement, Odisha, Cuttack for early disposal of R.P. Case No. 97 of 2021.
 3. Mr. Biswal, learned counsel appearing on behalf of Mr. Ray, learned counsel for the Petitioner submits that the matter has not yet been considered and notice has not been issued to the opposite parties therein. He, therefore, submits that a direction may be issued to the Commissioner, Consolidation and Settlement, Odisha, Cuttack to take up the matter for issuance of notice to the opposite parties.
 4. Mr. Mishra, learned Additional Standing Counsel for the State, on the other hand, submits that he has no instruction as to the status of the case before the said authority and pendency of the matters of similar nature before that court. Hence, he prays for some time to take instruction in the matter.

5. Taking into consideration the submissions made by learned counsel for the parties and in view of the order proposed to be passed, this Court feels it proper to proceed with the matter without waiting for the response from the Opposite Parties.

6. In that view of the matter, this writ petition is disposed of with a direction that in the event the Petitioner files a memorandum for consideration of the aforesaid R.P. Case No. 97 of 2021 for issuance of notice to the opposite parties along with certified copy of this order before the Commissioner, Consolidation and Settlement, Odisha, Cuttack-Opposite Party No.1, he shall do well to accept the same and fix a date, preferably within a period of eight weeks from the date of filing such memorandum for consideration of the matter for issuance of notice to the opposite parties therein, if the matter is otherwise ready.

7. A copy of this order shall be served on Mr. Mishra, learned Additional Standing Counsel for information and communication.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge