

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.14363 OF 2009

Udayanath Samal

....

Petitioner

Mr.P.K.Mohanty, Adv.

-versus-

***The Commissioner, Consolidation &
Settlement, Orissa, Cuttack & ors.***

....

Opposite Party(s)

Mr.S.P.Panda, AGA
Mr.N.K.Sahoo, Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
13.12.2022**

Order No.

- 04.
1. Heard learned counsel for the Parties.
 2. The impugned order involved herein an order passed by the Commissioner, Consolidation & Settlement, Cuttack involving a Proceeding under Section 37(1) of the OCH & PFL Act thereby creating a scope for fresh adjudication of the matter at the threshold through the Consolidation Officer. The grounds raised herein can very well be agitated in the original proceeding. For complete remand of the proceeding, this Court does not like to interfere with such order. Besides for the opportunity available to the Petitioner, there is no prejudice to the Petitioner otherwise. Petitioner is to

appear before the Consolidation Officer on 27.12.2022 and take date of hearing.

3. The Writ Petition thus stands dismissed. Interim order dated 15.10.2009 passed in Misc. Case No.12201 of 2009 stands vacated.

4. A free copy of this order be supplied to the learned State Counsel for information to the Consolidation Officer.

M.K.Rout

(Biswanath Rath)
Judge

