

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 12062 of 2022

Budhia Soren

....

Petitioner

Mr. Pravash Chandra Jena, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opposite Party Nos.1 to 6)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

20.05.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. This writ petition has been filed praying for a direction to the Tahasildar, Baliapal-Opposite Party No.4 for early disposal of Demarcation Case No.17 of 2021 within a stipulated period.
3. It is submitted by Mr. Jena, learned counsel for the Petitioner that the Petitioner has made an application in the prescribed format by depositing requisite fee and other documents for demarcation of the land in respect of Plot No.53 to an extent of Ac.0.12 decimals under Khata No.27/2021, kisam Gharabari in Mouza-Purusottampur under Baliapal tahasil in the district of Balasore (for short, 'the case land'), but the Tahasildar, Baliapal is not taking any step to demarcate the said land.
- 3.1 It is further submitted that the Tahasildar, Baliapal, vide order dated 24th March, 2022 (Annexure-2) directed for

demarcation of the land on 13th April, 2022 at 9.00 AM. He also directed the IIC, Baliapal PS-Opposite Party No.6 to deploy police personnel on the spot at the time of demarcation, but till date the demarcation has not been made. He further submitted that there is no civil, criminal, revenue or any other proceeding pending in respect of the case land. He, therefore, prays for a direction for early disposal of the aforesaid demarcation case.

4. Mr. Mishra, learned ASC for the State submits that he has no objection, if the demarcation case is disposed of early, provided that the application is complete in all respect and there is no legal impediment for the same.

5. Taking into consideration the submissions of learned counsel for the parties, this writ petition is disposed of directing the Tahasildar, Baliapal-Opposite Party No.4 to take steps for early disposal of Demarcation Case No.17 of 2021 as expeditiously as possible, preferably within a period of four weeks from the date of production of certified copy of this order, giving notice to the Petitioner and the boundary tenants to participate in the hearing of the demarcation case and to remain present at the time of demarcation, if there is no legal impediment.

6. I.I.C., Baliapal PS (Opposite Party No.6) is also directed to depute police personnel to maintain law and order situation, if a requisition stating the date, place and time is made by the Tahasildar, Baliapal to that effect.

7. Copies of the writ petition along with this order shall be served on Mr. Mishra learned Additional Government Advocate for the State for communication of this order.

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

(K.R.Mohapatra)
Judge

s.s.satapathy

