

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.13889 of 2011

Muralidhar Mehena

....

Petitioner

Mr. Deba Ranjan Mohapatra, Advocate

-versus-

State of Orissa and others

....

Opposite Parties

Mr. A.P. Das, Addl. Standing Counsel

CORAM:

THE CHIEF JUSTICE

JUSTICE R. K. PATTANAİK

ORDER

28.03.2022

Order No.

- 08.
1. The challenge in the present petition is to orders passed by the Sub-Collector on 3rd May 2007, directing the Tahasildar to take steps to cancel the Army Lease sanctions in favour of the Petitioner in Plot No.1686 of Holding No.245 comprising area of Ac.0.65 decimals of village Samal in Kamakshyanagar. Apparently there was a permanent Sairat Source of the Tahasil over the said land and the Government Revenues were being deprived with the Petitioner occupying the land despite the Army Lease having been already cancelled.
2. The challenge is also to the consequential orders dated 16th May 2007 and 18th June 2007, passed by the Tahasildar cancelling the Lease. The present writ petition was filed only four years thereafter by which time the Status quo had already altered, since the ROR was changed to the Government. Therefore, when a Status quo order was passed by this Court on 24th June 2011, the name of the Government had already been entered in the ROR.

3. The impugned orders of the Tahasildar show that the Petitioner had duly been put on notice before the said order was passed. However, the Petitioner failed to produce the relevant record. The Court sees no reason to interfere.
4. The present writ petition is accordingly dismissed.
5. The interim order passed earlier, stands vacated.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

S. Behera

