

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 12422 OF 2022

Durga Prasad Jhankar

Petitioner

Mr. Gopinath Mishra, Advocate

***Additional Commissioner,
Consolidation and Settlement,
Sambalpur***

.... Opp. Party

Mr. Dillip Kumar Mishra,
Additional Government Advocate

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

**ORDER
19.05.2022**

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioner in this writ petition is with regard to inaction of the Additional Commissioner, Consolidation and Settlement, Sambalpur in supplying the certified copy of the revision petition and final order passed in R.C. Case No.358 of 1988 filed under Section 15(b) of the Odisha Survey and Settlement Act, 1958.
3. Mr. Mishra, learned counsel for the Petitioner submits that the Petitioner made an application on 25th January, 2022 (Annexure-1) for supply of certified copy of the aforesaid documents, but the same was not supplied to him. Thereafter, the Petitioner made application for supply of certified copy of the said documents on 27th January, 2022 under Annexure-2. Accordingly, he made an application under the provisions of Right to Information Act, 2005 on 22nd February, 2022 to get the copy of aforesaid documents. But the said request was turned down. In

that view of the matter, the Petitioner finding no other alternative has filed this writ petition.

4. Mr. Mishra, learned Additional Government Advocate submits that counter foils annexed to the writ petition do not disclose the details documents, certified copy of which the Petitioner has sought for. He further submits that there is no material on record to show that the Petitioner had, in fact, approached the authority under R.T.I. Act, 2005. He, therefore, submits that the writ petition is devoid of any merit.

5. Taking into consideration the submission made by learned counsel for the parties, this Court disposes of this writ petition with a direction that in the event the Petitioner makes a fresh application for supply of certified copy of the revision petition and final order passed in R.C. Case No.358 of 1988 of the Court of Additional Commissioner, Consolidation and Settlement, Sambalpur within a period of two weeks hence affixing requisite fees and enclosing requisite number of foils along with certified copy of this order, the same shall be supplied to him within a period of four weeks therefrom after removal of deficiencies, if any. If, for any reason, the Additional Commissioner, Consolidation and Settlement, Sambalpur is of the opinion that certified copy sought for cannot be supplied to the Petitioner, reasons thereof shall be communicated to the Petitioner within the aforesaid period.

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

(K.R. Mohapatra)
Judge