

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.13436 OF 2022

Debanjan Pati

....

Petitioner

Mr.J.M.Pattanaik, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.S.Ghosh, AGA

CORAM:

JUSTICE BISWANATH RATH

Order
No.

ORDER
27.6.2022

2. 1. Heard learned counsel for the Parties.
2. 2. This matter involves a challenge to the order at Annexure-1 passed by the Assistant Settlement Officer, Rental Colony, Bhubaneswar in Rent Objection Case No.7385/2013.
3. 3. Referring to Annexure-6 and the manner of disposal of the Rent Case behind the back of the Petitioner, learned counsel for the Petitioner contended for parity of the order of this Court dated 27.1.2020 passed in W.P.(C) No.18715 of 2014.
4. 4. Learned Additional Government Advocate however referring to the impugned order and the disclosure therein submitted that once the Petitioner applied for certified copy of the impugned order in 2014 itself, as clearly disclosed from the impugned order and further for the pleading in Paragraph-6 of the Brief, the Writ Petition suffers on account of gross delay.

5. Considering the rival contentions of the Parties, this Court finds, vide W.P.(C) No.18715 of 2014 involved similar order, a coordinate Bench of this Court interfering in such order on the ground of being passed behind the back of the Petitioner and setting aside the impugned order therein remitted the matter to the Assistant Settlement Officer for re-hearing involving the Petitioner. It is only in this view of the matter and the development already taking place through W.P.(C) No.18715 of 2014, this Court in disposal of the present Writ Petition interferes with the impugned order at Annexure-1 involving Objection Case No. 7385/2013 and sets aside the same and remits the matter to the Assistant Settlement Officer, Bhubaneswar to accept the objection of the Petitioner to be filed on the date of his appearance at least on 12.7.2022 along with copy of this order. On filing of the objection, the Competent Authority shall do well in providing the date of hearing and disposing of the case involved involving the Petitioner by completing the entire exercise at least within a period of four months from the date of filing of the objection.

(Biswanath Rath)
Judge

M.K.Rout