

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.11600 OF 2019

Maa Mangala Primary Fishermens Co-operative Society Ltd.

Petitioner

Mr. Budhadev Routray, Senior Advocate
along with Mr. S.K. Dash, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opp. Party No.1)

Mr. P.K. Nayak, Advocate
(For Opp. Party No. 5)

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

**ORDER
08.07.2022**

Order No.

5.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks to assail the order dated 19th April, 2017 (Annexure-4) passed by the Director of Fisheries-cum-Additional Registrar of Co-operative Societies, Cuttack-Opposite Party No.2 in Revision Case No. 1 of 2017 and the subsequent order dated 1st July, 2018 (Annexure-10) passed by the District Fisheries Officer-cum-Assisstant Registrar of Co-operative Societies, Jagatsinghpur-Opposite Party No.3 to proceed with reassigning the area of operation in the village between the Petitioner and Opposite Party No.5-Society subject to the decision to be taken in W.P.(C) No. 7888 of 2017 and Review Petition No.01 of 2017.
 3. Mr. Routray, learned Senior Advocate appearing for the Petitioner submits that W.P.(C) No. 7888 of 2017 filed by Opposite Party No.5 assailing the order under Annexure-4 has

already been withdrawn on 6th January, 2020. However, the Petitioner has filed a review petition under Section 111 of the Orissa Co-operative Societies Act, 1962 (for short 'the Act') in Review Petition No.1 of 2017 for review of the order passed under Annexure-4, which is pending for consideration before the Director of Fisheries-cum-Additional Registrar of Co-operative Societies, Cuttack-Opposite Party No.2. He submits that since the relief claimed in this writ petition is sub-judice before the Opposite Party No.2 in Review Petition No.1 of 2017 filed under Section 111 of the Act, interest of justice will be best served, if the Petitioner pursues the review petition and a direction may be issued to the authority to dispose of the review petition within the stipulated time.

4. Mr. Nayak, learned counsel for the Opposite Party No.5 does not have any objection to the same.

5. Taking into consideration the submissions made by learned counsel for the parties, this writ petition is disposed of with an observation that the Director of Fisheries-cum-Additional Registrar of Co-operative Societies, Cuttack-Opposite Party No.2 shall do well to consider and dispose of Review Petition No.1 of 2017 filed under Section 111 of the Act in accordance with law as expeditiously as possible preferably within a period of six months from the date of production of certified copy of this order, giving opportunity of hearing to the parties concerned, if there is no legal impediment.

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

(K.R. Mohapatra)
Judge