

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14202 of 2022

Alla Rama Prasad

....

Petitioner(s)

Mr. B.Pr. Das,
Advocate

-versus-

Sub-Collector, Rayagada & Ors.

....

Opposite Parties

Mr. U.K. Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE BISWANATH RATH

ORDER

22.06.2022

Order No.

01.

1. In this writ application the petitioner has prayed for a direction to the Sub-Collector, Rayagada-opposite party No.1 to accept the Form-2(return) as per Section 3(B) of the Regulation II of 1956.

2. Petitioner alleged that non-acceptance of return under Section 3(B) of Regulation II of 1956 runs contrary to the direction of this Court in a batch of Writ petitions. On perusal of one such order, this Court finds that identical matters came up for consideration before this Court in W.P.(C) No.10142 of 2015. A Single Bench of this Court relying on the order dated 9.5.2011 passed by a Division Bench of this Court in W.P.(C) No.11562 of 2009 directed the authorities to accept the return of the petitioner.

3. In view of the above, this Court directs that in the event the petitioner files Form No.II return along with a limitation application within a period of four weeks from today before the Sub-Collector, Rayagada, the same shall be accepted and the delay be condoned

provided the land for which permission was given, covers the land indicated in the sale deed executed in favour of the petitioner. In the event, the Sub-Collector, Rayagada-opposite party no.1 accepts Form-II and proposes to initiate any proceeding against the petitioner under Section 3(B) of the Orissa Regulation No.II of 1956, the return filed by the petitioner shall be taken into consideration.

4. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

