

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 14251 OF 2022

Jitendra Nayak

.... ***Petitioner***

Mr. P.K. Satapathy, Advocate

-versus-

State of Odisha and others

.... ***Opp. Parties***

Mr. D.K. Pani,

Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
07.06.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks for a direction to the Tahasildar, Chandabali-Opposite Party No.3 to demarcate Plot No. 285 to an extent of Ac.0.30 decimals, Plot No. 292 to an extent of Ac.0.05 decimals and Plot No. 294 to an extent of Ac.0.05 decimals under Khata No.133 situated in mouza Dhanakuta under Chandabali Tahasil in the district of Bhadrak (for short 'the case land') and dispose of Demarcation Misc. Case No.388 of 2021 pending before him at an early date.
3. It is submitted by Mr. Satapathy, learned counsel for the Petitioner that since the boundary tenants are creating disturbance in the peaceful possession of the Petitioner, he has filed an application along with relevant documents for demarcation of the case land. He further submits that there is no civil suit, revenue or other proceeding pending in respect of the land in question and there is no legal impediment for demarcation of the case land. In

that view of the matter, he prays for a direction for the aforesaid relief.

4. Mr. Pani, learned Additional Standing Counsel submits that he has no instruction in the matter. However, if such application in proper format is pending before the Tahasildar, Chandabali, he may be directed to consider the same in accordance with law at an early date, if there is no legal impediment.

5. Taking into consideration the submissions of learned counsel for the parties, this Court without expressing any opinion on the merits of the case disposes of this writ petition with a direction that the Tahasildar, Chandabali-Opposite Party No.3 shall make an endeavour for early disposal of Demarcation Case No.388 of 2021 as expeditiously as possible preferably within a period of eight weeks from the date of production of certified copy of this order, if the Petitioner establishes that he is entitled to the prayer for demarcation of the said land, by issuing notice to the Petitioner as well as boundary tenants to participate in the hearing of the demarcation case and to be present at the time of demarcation of the land, if there is no legal impediment.

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

(K.R. Mohapatra)
Vacation Judge

bks