

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 14978 OF 2022

Jalandhar @ Jaladhar Majhi and others ***Petitioners***

Mr. Manoj Kumar Pati, Advocate

-versus-

State of Odisha and others ***Opp. Parties***

Mr. Debakanta Mohanty,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE M.S. RAMAN

ORDER

17.06.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The Petitioners in this writ petition pray for the following relief:

“It is therefore prayed that this Hon’ble Court may graciously be pleased to admit the writ petition, call for the records and after hearing the parties, the petition be allowed with a direction to the Opp. Party Nos.2 and 3 to settle all arrear rent dues in respect of the schedule land and to take necessary steps to record the schedule land in the name of the petitioners in reference to the provisions of O.E.A. Act;

Or else the Opp. Party No.3, Collector may be directed to convert the SRP Case No.79/2015 to OEA Case and dispose of the same within a stipulated period of time;

And further be pleased to pass any other order(s) as deem fit and proper;

And for this act of kindness, the petitioners shall as in duty bound ever pray.”

3. In course of hearing, Mr. Pati, learned counsel for the Petitioners submits that assailing the correctness of the R.O.R. under Annexure-4, the Petitioners have already filed S.R.P.

No.79 of 2015 before the Joint Commissioner, Settlement and Consolidation, Koraput. It is his submission that the Collector, Nabarangpur has been delegated with the power to dispose of the revision petition under Section 15(b) of the Odisha Survey and Settlement Act, 1958 in respect of the land situated in the district of Nabarangpur. In that view of the matter, he prays for a direction to the Joint Commissioner, Settlement and Consolidation, Koraput-cum-Collector, Nabarangpur-Opposite Party No.2 to dispose of S.R.P. No.79 of 2015 at an early date.

4. Mr. Mohanty, learned Additional Government Advocate submits that he has no instruction with regard to the present status of the revision petition as well as number of such revision petitions pending before the Joint Commissioner, Settlement and Consolidation, Koraput-cum-Collector, Nabarangpur-Opposite Party No.2. He, therefore, prays for an adjournment to take instruction in the matter.

5. Taking into consideration the nature of prayer made by the Petitioners and the order proposed to be passed in this writ petition, this Court feels that no fruitful purpose will be served by keeping this matter pending awaiting response from the Opposite Parties.

6. In view of the above, this writ petition is accordingly disposed of with a direction that in the event the Petitioners file an application for early disposal of S.R.P. No.79 of 2015 stating the grounds therein along with certified copy of this order within a period of three weeks hence, the Joint Commissioner, Settlement and Consolidation, Koraput-cum-Collector, Nabarangpur-Opposite Party No.2 shall do well to consider such application in accordance with law and fix a firm date for

hearing of S.R.P. No.79 of 2015, if the matter is otherwise ready for hearing and there is no legal impediment for early disposal of the same and proceed with the matter accordingly giving opportunity of hearing to the parties concerned.

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

(K.R. Mohapatra)
Vacation Judge

(M.S. Raman)
Vacation Judge

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