

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.15730 OF 2022

Ratnakar Sundaray

....

Petitioner(s)

Mr.S.K.Samantaray,
Advocate

-versus-

State of Odisha and others

....

Opposite Party(s)

Mr. S.Ghose,
AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
29.07.2022

Order No.

01. 1. Heard learned counsel for the Parties.
2. The Writ Petition involves the following prayer :-
- “The Petitioner, therefore, pray that this Hon’ble Court be graciously pleased to issue Rule Nisi calling upon the opposite parties to show cause :
- (i) as to why a writ of certiorari/mandamus or any other appropriate writ/writs shall not be issued in directing to the Director of Estates & Ex. Officio, Joint Secretary to General Administration Department (Opp.Party No.3) to dispose of the application dated 27.09.2019 under Annexure-4 within a stipulated period in allotting the scheduled land measuring Ac.0.041 decs. arising out of Ac.24.360 decs. In Hal Plot No.598 under Khata No.278 of Mouza-Aiginia in favour of the petitioner as is used his only residential house from the year 1972 onwards and opposite parties may kindly be further directed not to take any coercive action to evict/ disposes the petitioner and to maintained status quo regarding his possession over the scheduled land till final disposal of his application under Annexure-4;
- (ii) If the opposite parties fail to show cause or show insufficient cause to make the said Rule absolute;
- (iii) And to pass such other order/orders and to issue such other writ/writs which would afford complete relief to the petitioners.”

3. It appears, the Petitioner has a grievance already before O.P.3 on the selfsame issue, vide Annexure-4. Keeping in view this is a pending case with the Competent Authority, the Writ Petition stands disposed of directing O.P.3 to look into the request of the Petitioner, vide Annexure-4 and pass appropriate orders on the same, if necessary entering into appropriate enquiry to find out if the Petitioner is landless persons in the State and as such, entitled to any land, by completing the entire exercise within a period of three months from the date of communication of this order by the Petitioner. In the event there is no eviction of the Petitioner as of now and is residing there, status quo in respect of the disputed property be maintained by both parties till a decision taken on Annexure-4 by O.P.3.

(Biswanath Rath)
Judge

Swarna

