

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15758 of 2022

Aruna Kumar Padhy

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

26.07.2022

Order No

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. S.P. Das, learned counsel for the Petitioner and Mr. Mohapatra, learned ASC appearing for the Opp. Parties.

3. The Petitioner is aggrieved by the communication issued by the O.P. No. 5, wherein the prayer of the Petitioner made on 13.12.2021 under Annexure-2 is alleged to have been rejected by the Revenue Divisional Commissioner (Southern Division), Berhampur-O.P. No. 2.

4. Mr. Das, learned counsel for the Petitioner submitted that the Petitioner submitted the aforesaid representation on 13.12.2021 with a prayer to treat his CCR for the period 15.04.2015 to 31.01.2016 as outstanding.

5. It is also submitted that the said CCR of the Petitioner was favourably recommended by the Collector, Rayagada under

Annexure-4. But Opp. Party No. 2 without proper appreciation of the same and without any reason had rejected the said prayer vide the impugned communication dtd.02.05.2022. This Court after going through the same also finds that no reason whatsoever has been assigned while rejecting the claim of the Petitioner, as made in Annexure-2 and recommended by the Collector under Annexure-4.

6. Therefore, while quashing the communication dt.02.05.2022, this Court directs O.P. No. 2 to take a fresh decision on the prayer made in Annexure-2 taking into account the recommendation available at Annexure-4 to the writ Petition. This Court directs the said Opp. Party to take a fresh decision within a period of one month from the date of receipt of this order.

7. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha