

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.16091 OF 2022

Karunakar Jena & anr.

....

Petitioners

Mr.J.K.Mishra, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
7.7.2022**

Order No.

01.

1. Heard learned counsel for the Parties.
2. The Petitioners alleges, based on a request for change of R.O.R., a general notice was issued, vide Annexure-3. Through Annexure-4, it has been brought to the notice of this Court that pursuant to the notice under Amnnexure-3 dated 12.5.2022, the Petitioners have already submitted their objection on 3.6.2022 as appearing at Annexure-4. Through the Writ Petition, it is alleged, the Competent Authority is proceeding ahead in preparation of the R.O.R. for change of kism of the land involved.
3. Mr.Sahoo, learned Additional Standing Counsel for the State in his opposition submits, for the development through Annexure-3 & 4, it appears, same proceeding involving change of kism in the

R.O.R. is still pending. The Petitioner's Writ Petition is on apprehension and not entertainable at this stage, as there is no cause of action established through the Writ Petition.

4. Considering the rival contentions of the Parties, this Court since finds there is already a general notice, vide Annexure-3 on 12.5.2022 and if the Petitioners have submitted their objection, vide Annexure-4 on 3.6.2022, proceeding, if any, pending involving the general notice, vide Annexure-3 should be undertaken taking into consideration the objection of the Petitioners, vide Annexure-4. If there is no finality to the proceeding involving Annexure-3, the authority may consider the objection of the Petitioners, vide Annexure-4 for completing such exercise. In the event the proceeding, vide Annexure-3 is still pending, personal hearing opportunity may also be provided to the Petitioners.

5. The Writ Petition thus stands disposed of.

(Biswanath Rath)
Judge

M.K.Rout