

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC NO.16422 OF 2022

Amulya Kumar Pradhan

....

Petitioner

Mr.S.K.Samantaray, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
19.7.2022**

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 27.7.2010 under Annexure-9 within a stipulated period in allotting the scheduled land measuring Ac.0.262 decs. in Hal Plot No.35 under Khata No.519 in corresponding Sabik Plot No.13 under Khata No.414 of Mouza-Dumduma in favour of the petitioner as is used for his only residential house from the period of his Grand-Father in the year 1950 onwards and till then not to

take any coercive action to evict/disposes the Petitioner from the scheduled land;

- (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-9 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-9 by O.P.3.

(Biswanath Rath)
Judge

M.K.Rout