

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20932 of 2021

Sridhar Behera

....

Petitioner

Mr. P.K.Rout,
Advocate

-versus-

State of Odisha & others

....

Opposite parties

Mr.C.S.Mishra,
Addl. Government Advocate
Ms.P.Naidu, Advocate for O.P. No.2

CORAM:

**JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO
ORDER**

29.06.2022

Order No.

- 02.
1. Heard Mr.P.K.Rout, learned counsel for the petitioner, Mr.C.S.Mishra, learned Addl. Government Advocate and Ms.P.Naidu, learned counsel representing opposite party No.2.
 2. According to Mr.Rout, the petitioner along with his family members have been possessing a piece of land i.e. Plot No. 15 appertaining to Khata No. 47 covering an area Ac.0.075 dec. out of Ac.0.150 dec. since long under Mouza-Adhanga in the Tahasil of Salipur in the district of Cuttack pursuant to an agreement in 2001. Though he is enjoying the aforesaid land but taking advantage of his innocence opposite party Nos. 5 to 7 by using their muscle power have encroached such land and are creating obstruction in construction of house over said land.
 3. During course of hearing Mr.Rout, learned counsel for the petitioner submits liberty may be granted to the petitioner to file a fresh grievance petition before the Assistant Endowment Commissioner, Cuttack (opposite party No.2) and further prays that a direction may be issued to the said opposite party to take a decision of his grievance petition within a specific time period.
 4. Considering such submissions and without expressing

any opinion on the merits of the case, this Court grants liberty to the petitioner to file fresh grievance petition before opposite party No.2 along with a copy of this order through registered post with A.D. within a period of two weeks hence. In the event, such grievance petition is received by the opposite party No.2, he/she is directed to take a decision on the same in accordance with law within a period of eight weeks from the date of receipt of such grievance petition after giving reasonable opportunity of hearing to the petitioner and the Executive Officer, Raghunath Jew Bije Kulia Matha Maa Trustee Board in the district of Cuttack(opposite party No.3) as well as opposite party Nos. 5 to 7 i.e. Gobinda Chandra Behera, Naran Behera and Sudarsan Behera.

5. The writ petition is accordingly disposed of.

6. Urgent certified copy of the order be granted on proper application.

Kishore

