

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.17630 OF 2022

Bhaskara Gouda

....

Petitioner(s)
Mr.R.K.Sahu,
Advocate

-versus-

The State of Odisha and others

....

Opposite Party(s)
Mr.S.Mishra,
ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
18.07.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. The Writ Petition involves the following prayer:

“It is therefore prayed that this Hon’ble Court may graciously be pleased to admit this writ petition issue notice to the Opp. Parties call for the records and after hearing the parties issue writ/writs in the nature of mandamus/certiorari or any other writ direct the Opp. Parties to take a decision on the representation filed vide Annexure-3 by the petitioner within a stipulated period for the interest of justice;

And the Hon’ble Court may pass any order/direction may be deem feet and proper.

And for this act of kindness the petitioner shall as in duty bound ever pray.”

3. Taking this Court to the Civil Court judgement and the development through Annexure-1 in disposal of the O.P.L.E Appeal No. 11 of 1975, Petitioner claims the remand proceeding is still pending for consideration of settlement by the Tahasildar. Referring to the application at Annexure-3, learned counsel for the Petitioner brings to the notice of this Court that in the meantime, there is change in the registration of the Encroachment Case No. 42 of 1998 before the Tahasildar, Purosottampur and there is no difficulty in considering his

case for settlement. This Court observes in the event the Encroachment Case No. 42 of 1998 is still pending and the Tahasildar is in receipt of the request of the Petitioner to settle the land, the exercise under Section 8 may be undertaken also involving the Parties likely to be affected in the disposal of original proceeding.

4. With this observation, the Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Swarna

