

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.19891 of 2022

Sanjukta Panigrahi

..... Petitioner

Mr. A. Mohanty, Advocate

-versus-

State of Odisha and another

..... Opposite Parties

Mr. A. Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.11.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with the following prayers:

“It is, therefore, prayed that the Hon’ble Court may kindly be pleased to admit the writ petition and issue rule nisi to the Opposite Party No.2 to show cause as to why it should not be directed to allow the registration of the petitioner in the kharif paddy procurement for 2022-23.

And if the Opposite Party No.2 fails to show cause or shows insufficient cause then this Hon’ble Court may be pleased to make the rule absolute by directing the Opposite Party No.2 in the form of a writ of mandamus or any other appropriate writ to compulsorily register the petitioner under the kharif paddy procurement for 2022-23.

And to pass such other order/orders, direction/directions as this Hon’ble Court may deem fit, proper and equitable in the facts and circumstances of the case;”

4. It is submitted by learned counsel for the petitioner that the petitioner has raised paddy crops on certain agricultural land recorded in the name of Dinabandhu Panigrahi, who is the father-in-law of the petitioner, which is in the schedule of property and the same is being disputed by some of the family members. However, the fact remains that the petitioner raised the paddy crops. He further submits that the procurement of paddy crop for K.M.S. 2022-23, an advertisement was published by the Government for registration of farmers and although the petitioner has applied for registration, the same has not been registered. Thereafter, the petitioner approached the Collector, Rayagada-Opposite Party No.2 by submitting a representation, which is stated to be pending before the said Opposite Party.

5. Learned counsel for the State, on the other hand, submits that since the Collector, Rayagada is the competent authority, he may be directed to decide the issue in accordance with law within a stipulated period of time and the petitioner may be directed to approach before the competent authority, who shall decide the issues by providing an opportunity to the petitioner and strictly in accordance with law.

6. Considering the submissions made by the respective parties, this Court disposes of the writ petition, at the stage of admission, without expressing any opinion on the merits of the case with a direction to the petitioner to file a fresh representation within a period of ten days from today along with supporting documents before the Collector, Rayagada-Opposite Party No.2 and in the event such a representation is filed within ten days from today, it is further directed that the Collector, Rayagada-Opposite Party No.2 shall do

well to look into the grievance of the petitioner and take a decision on the representation of the petitioner in accordance with law within a period of eight weeks from the date of production of certified copy of this order. It is needless to mention here that the comprehensive representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Further, it is directed that in the event any amount is found to be payable to the petitioner, the same shall be paid to the petitioner within four weeks from the date of taking a decision on the representation of the petitioner. The decision so taken on the said representation shall be communicated to the petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

