

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.17836 of 2018

Prabhubrata Mohanty & Anr.

....

Petitioner(s)

Mr.R.Acharya, Advocate

-versus-

State of Orissa & Anr.

....

Opp.Party(s)

Mr.S.P.Panda, AGA.

Mr.P.K.Rout, Adv. (O.P.No.1)

Mr.S.Mohapatra-1, Adv. (O.P.No.3)

Mr.D.Mohapatra, Adv. (O.P.No.4)

CORAM:

JUSTICE BISWANATH RATH

ORDER

01.12.2022

Order No.

9.

1. Heard learned counsel appearing for the parties.

2. This writ petition involves the following prayer:

‘It is, therefore, prayed that this Hon’ble Court may graciously be pleased to admit this writ application, issue notice to the opposite parties and after hearing both the parties be pleased to:

(i) issue direction to the opposite party No.3 to issue occupancy certificate in favour of the petitioner No.1;

(ii) Issue direction to the opposite party no.2 to take necessary action against the opposite party no.3 about his willful deliberate latches in not issuing occupancy certificate in favour of the petitioner No.1;

And/or pass any other order/orders, direction/directions as this Hon’ble Court deem just and proper in the facts and circumstances of the case;

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

3. Looking to the prayer, more particularly prayer no.ii, this Court records the submission of Mr. S.Mohapatra, learned counsel appearing for the opposite party no.3, which has made a clear statement that in the meantime not only the occupancy certificate has been issued in favour of petitioner no.1 but there has been even registration of the property. This Court finds no cause of action survives to be adjudicated in the matter. Consequently, the writ petition stands dismissed. I.A No.14223 of 2022 stands disposed of.

(Biswanath Rath)
Judge

Sks

