

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17936 of 2016

Pramoda Baliarsingh

....

Petitioner

Mr. S.C. Mekap,
Advocate

-versus-

State of Orissa

....

Opposite Parties

Mr. U.K. Sahoo,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
22.06.2022**

Order No.

06. 1. Taking this Court to the initiation of 3rd round of litigation involving the same proceeding i.e. the L.E. Case No.41/97, it is argued that the 3rd round of litigation is *per se* not maintainable as in the earlier 2nd round of appeal proceeding, there has already been decision concluding the issue involved. Unfortunately neither the cause title of L.E. Case No.41/97 is available, nor is the order involved therein available. It is not known, whether the subsequent appeal is filed by same parties or not?
2. In the circumstance, this Court finds difficulty in entertaining the request of the Petitioner to take into consideration the maintainability of 3rd round of litigation the L.E. Appeal No.7/15. Though this Court from Annexure-9 finds, there is already conclusion of 3rd round of litigation, in absence of foundation to establish the allegation of the Petitioner, this Court leaves it open to the Petitioner to file revision involving the 3rd round of litigation

raising all these grounds therein for consideration of the revisional authority. Since there is already an order of status quo operating since long, let the Petitioner file revision within a period of ten days hence and the same shall be disposed of giving due notice to the parties involved therein, within a period of six months thereafter. Till such period there shall be maintenance of status quo in respect of the disputed property involved in the Encroachment Case No7/2015.

3. The writ petition stands disposed of with the above direction.

(Biswanath Rath)
Judge

Ayaskanta Jena

