

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20419 of 2022

Basanta Nalini Swain & Ors.

....

Petitioner(s)

Mr. P.R. Barik,
Advocate

-versus-

***Revenue Divisional Commnr.,
Central Division, Cuttack & Ors.***

....

Opposite Parties

Mr. S. Ghose,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
02.09.2022**

Order No.

01. 1. This Writ Petition involves a challenge to the order of rejection of an application U/s.15(b) of the O.S.S Act, 1958 by the competent authority on the premises of such petition was not accompanied with the Limitation Petition.
2. For the technical rejection of the application through the impugned order vide Annexure-5, this Court doesn't feel it appropriate to issue notice to the private Opposite Parties and accordingly decides this matter at the admission stage itself.
3. For the technical rejection of the above application, this Court is of the view that there is no bar for the Petitioner in re-approaching the authority along with a limitation petition. This Court, therefore, directs, in the event the Petitioner undertakes such exercise afresh along with a limitation petition within a period of two weeks hence, the same shall be entertained and disposed of in accordance with law, but however, providing opportunity of hearing

to the private Opposite Parties, if any. It is also made clear that if the Petitioner files such application within the time stipulated hereinabove, the impugned order under Annexure-5 shall not stand as a bar on the way of consideration of the limitation petition.

4. The writ petition stands disposed of with the above order.

(Biswanath Rath)
Judge

Ayaskanta Jena

