

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C).No. 21216 OF 2022

Debasis Dhal & Ors.

....

Petitioner(s)

Mr.D.P.Dash,
Advocate

-versus-

Collector, Jagatsinghpur & Ors.

....

Opposite Party(s)

Mr.S.Ghose, AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

09.09.2022

Order No.

1. Heard learned counsel appearing for the parties.
2. Undisputedly, there has been dismissal of application under Section 8-A of the O.L.R. Act by the competent authority though much attention be given to the nomenclature in registering such case. For the nature of disposal of application under O.L.R. Act, Section 58 under the provision of O.L.R. Act clearly provides appeal against such orders. Grounds raised herein can very well be agitated in appeal and considered by the appellate authority. For the statutory remedy of appeal available, this Court declines to entertain the writ petition at this state. However, in disposal of the writ petition, this Court permits the petitioner to file an appeal before the competent authority within a period of two weeks hence. In the event there is already lapse of appeal period, it will be open to the petitioner to file an application for condonation of delay along with the appeal. It is further directed that in the event the petitioner files appeal along with an application for condonation of delay, the delay shall be condoned and the appeal shall be decided on its own merit.

(Biswanath Rath)

Judge