

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21396 of 2022

Ramakanta Giri

....

Petitioner

Mr. K.A. Guru,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S.P. Panda,
Addl .Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
20.09.2022**

Order No.

- 01.
1. Undisputedly the revision at the instance of the Petitioner is still pending.
 2. Learned State Counsel objects entertainability of the revision under the provision of Regulation-II of 1956 involving an appeal order.
 3. This Court observes, even assuming that there is already a revision filed, nothing prevented the competent authority to dispose of the revision in accordance with law even entering into the question of entertainability of the revision. But the Revisional Authority under no circumstance can sit over such revision and at the same time move with the eviction of the Petitioner. In the process this Court directs the Revenue Divisional Commissioner, Central Division, Cuttack to first find-out; whether the revision is

entertainable or not and thereafter pass order in accordance with law by providing opportunity of hearing to the Petitioner within a period of one month from the date of communication of a certified copy of this order by the Petitioner.

4. It is further directed that till disposal of the revision the order vide Annexure-4 shall not be given effect to and at the same time this Court also directs the Petitioner not to change the nature and character of the disputed property involved herein.

5. The Writ Petition stands disposed of with the above order.

6. Free copy of this order be handed over to the learned State Counsel for necessary communication.

Ayaskanta Jena

