

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.21748 OF 2022

Ghanta Surjya Reddy

....

Petitioner(s)

Mr.P.K.Panda,
Advocate

-versus-

Collector, Ganjam and another

....

Opposite Party(s)

Mr.U.K.Sahoo,
ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER
29.08.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. Taking to the pleadings in the Writ Petition and the documents appended therein through Annexure-1 and reading through the notice at Annexure-2, Mr. Panda, learned counsel for the Petitioner makes an oral submission that even in spite of attempting to file objection in response to Annexure-2 on the Petitioner having right through Annexure-1 over the disputed property, there has been refusal of receiving of such objection even by the competent authority compelling the Petitioner approaching this Court.
3. This Court finds, Petitioner has a claim over the disputed property through Annexure-1. In the interest of justice, this Court observes Petitioner should get an opportunity of objection and no action should be undertaken without giving a scope of objection and hearing to the following issue of notice at Annexure-2.
4. In the process and without going into the allegation of the Petitioner on non-receipt of objection, this Court in disposal of the Writ Petition to afford opportunity of objection and hearing to the Petitioner

by the public authority permits the Petitioner to raise his objection to the notice dated 06.08.2022 by filing the same at least within seven working days hence. On raising such objection, the Tahasildar, Digapahandi shall fix a date of hearing, if necessary, entering into appropriate enquiry to find if the Petitioner has any semblance of right, title and interest over the property involved, and pass appropriate order also giving opportunity of hearing to the Petitioner. Till a fresh decision is taken within a period of two months, there shall be status quo in respect of the disputed property to be maintained by all concerned.

(Biswanath Rath)
Judge

Swarna

