

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23016 of 2022

Sahadev Sahu

.....

Petitioner

Mr. B. Mohanty, Adv.

Vs.

State of Odisha and Ors.

.....

Opposite Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

15.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. The petitioner has filed this writ petition seeking direction to opposite party no.3-Tahasildar, Purusottampur to dispose of EC Case No.105/2011, EC Case No.106/2011 and M.C. Cases No.87 and 88 of 2018, within a stipulated time.

3. Mr. B. Mohanty, learned counsel for the petitioner contended that though the Revisional Authority remanded the matter vide order dated 22.12.2020 under Annexure-3 to the opposite party no.3-Tahasildar, Purusottampur to hear the EC cases, as mentioned above, analogously and dispose of the same by giving opportunity of hearing to all the parties affected, in accordance with law, but the Tahasildar is not taking up the matter. Therefore, this writ petition may be disposed of directing opposite party no.3 to consider and dispose of the same within a stipulated time.

4. Mr. A.K. Mishra, learned Addl. Government Advocate contended that once the Revisional authority remanded the matter back to the Tahasildar for adjudication, it is the duty and responsibility of the Tahasildar to adjudicate the same and pass appropriate order in consonance with the order passed by the revisional authority.

5. Having heard learned counsel for the parties and after going

through the records, this Court finds that since the revisional authority has remanded the matter back to the Tahasildar, so far as EC cases are concerned, which are directed to be heard and disposed of analogously by giving opportunity of hearing to the parties affected, in accordance with law, the Tahasildar cannot sit tight over the matter years together. Therefore, the Tahasildar, Purusottampur is directed to dispose of the EC cases, which are remanded to him, by giving opportunity of hearing to all the parties, if there is no other impediment and if the same are not disposed of till date, as expeditiously as possible, preferably within a period of four months from the date of production of certified copy of this order.

6. The writ petition is accordingly disposed of.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok

