

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.20914 of 2018

Sitanjali Sahu and others

.... Petitioners

Mr. D.K. Mohanty, Advocate

-versus-

State of Odisha and others

.... Opposite Parties

Mr. D.K. Mohanty, AGA

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

**ORDER
04.08.2022**

Order No.

14.

1. The basis on which the present writ petition has been filed seeking cancellation of settlement of homestead land under the Orissa Government Land Settlement Act, 1983 in favour of Opposite Parties 2 to 16 is that they have occupied the playground adjacent to the School and Anganwadi Centre in Khata No.124, Plot No.210 of village Bhaludunguri in Birmaharajapur district Subarnapur.

2. In the reply filed by Opposite Party No.2 i.e. Additional Tahasildar, Birmaharajapur, it is stated that in para 7 that “the village School and Anganwadi Center are situated over Plot No. 209 under Khata No. 122 of Mouza Bhaludunguri and not on Plot No. 210 of Khata No. 124 as claimed. Further, the Plot No. 209 under Khata No. 122 on which the village school and Anganwadi are situated is of Kisam (Ghara Bari) with an area of Ac.0.140 with a remark “School Ghar” (Scholl building) in the Record of Right.”

It is further mentioned in para 8:“the fact therefore remains that no part of the playground has been settled in favour of homesteadless persons.”

3. Since the very basis of the present petition is non-existent, the Court is not inclined to grant any of the reliefs prayed for.

4. The writ petition is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

TUDU

