

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24389 of 2022

Dipak Kumar Swain & Ors.

....

Petitioner(s)

Mr. D. Nayak,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr. S. Mishra,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
26.09.2022**

Order No.

01.

1. Through this Writ Petition the Petitioners have prayed for a targeting direction for disposal of the remand Revision Petition No.565 of 2012 remanded on the direction of the Commissioner, Consolidation & Settlement, Odisha in disposal of the R.P. No.565 of 2012.

2. Learned counsel for the Petitioner alleges that after passing of the remand order on 8.05.2013 and even after notice to the concerned parties in a way to provide them opportunity of hearing, the Tahasildar is not showing any interest for finality of the proceeding.

3. For the matter is taken up in Fresh Admission learned State Counsel without any instruction is unable to assist the Court.

4. Considering the submissions made and as the allegation of the Petitioners appears to have been established through the direction part and the averments made through the affidavit in the petition, this Court directs, in the event the order dated 8.05.2013 in R.P. No.565 of 2012 is maintained and since the Tahasildar is already directed to look into

the request of the Petitioners and finalize the issue therein after conducting the field inquiry and providing opportunity of hearing to the parties concerned and since nine years have already passed in the meantime, this Court while recordings its anxiety in the long pendency of the dispute, directs, in the event there is no finality to the issue in terms of the direction at Annexure-1 as yet, the Tahasildar shall make all endeavor to finalize the proceeding within a period of three months from the date of communication of a certified copy of this order by the Petitioner. This Court further observes, in the event service of notice on any of the parties likely to be affected, have not been made sufficient as yet, notice will be issued to such parties by way of Special Messenger at the cost of the Petitioners.

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

(Biswanath Rath)
Judge