

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No. 5744 of 2021

Fakir Charan Dash

....

Petitioner

Ms. Susmita Pattnaik, Advocate

-versus-

Narmada Modi, Tahasildar, Danagadi

....

Opp. Party

Mr. S.N.Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

Order No.

ORDER
12.01.2022

3. 1. This matter is taken up through Videoconferencing mode.
2. Petitioner in this CONTC alleges non-compliance of order dated 8th April, 2019 passed in W.P.(C) No.6778 of 2019.
3. This Court, vide order dated 22nd December, 2021 directed the Tahasildar, Danagadi to file an affidavit enclosing the map showing construction of the community hall as well as space left for the Petitioner for access to his residential house from the RD road.
4. In compliance of such direction, Tahasildar, Danagadi has filed compliance affidavit dated 5th January, 2022 stating as follows:-

“4. That it is humbly submitted that after receiving of the order dated 08.04.2019 from the Hon’ble Court passed in W.P.(C) No.6778 of 2019, the Tahasildar, Danagadi had directed the Revenue Inspector, Gobardhanpur to conduct field enquiry. Accordingly, the Revenue Inspector submitted the report which states that in between the Rural Development Departemnt (Concerete Road) road and his own plot there is a Plot No.1718/4552 which is recorded in the name of Janaki Das, wife

of Bansidhar Das, who is mother of the petitioner, while he is insisting on providing road through Government land Plot No.1719, which is recorded as Kissam Patita and petitioner wants road to his land through the Govt. land and he claims that the Government land which he was using as approach road, has been blocked due to construction of community centre on the land under MLALAD (Local Area Development Fund).

5. That, it is further humbly submitted that in presence of the petitioner, Revenue Inspector enquired and submitted the report that even after construction of the community centre there is no obstruction to his plot which he is just apprehending there might be obstruction in future.”

5. In view of such averments made in the affidavit, it appears that the Petitioner has access to his house from the RD road. Resultantly, the order passed by this Court has already been complied with.

6. Accordingly, the CONTC is dropped.

7. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020 modified by Notice No.4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(K.R. Mohapatra)
Judge