

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31117 of 2021

Subasini Sahu & others* *Petitioners

*Mr. S.C. Mohanty,
Advocate*

-versus-

State of Odisha & others* *Opp. Parties

*Mr. A.R. Dash,
Additional Government Advocate*

*Mr. B. Singh,
Standing Counsel (S.M.E)*

**CORAM:
JUSTICE BISWAJIT MOHANTY
JUSTICE BIRAJA PRASANNA SATAPATHY**

ORDER

08.03.2022

Order No.

- 01.
1. This matter is taken up through video conferencing mode.
 2. Heard Mr. S.C. Mohanty, learned counsel for the petitioners, Mr. A.R. Dash, learned Additional Government Advocate and Mr. B. Singh, learned Standing Counsel for School and Mass Education Department.
 3. According to Mr. Mohanty, the deceased father of the petitioners, namely Padma Charan Sahu was the recorded owner of Plot No.323 having an area of Ac.1.540 decimals in mouza: Khairabad in the district of Jajpur appertaining to Hal Settlement Khata No.88 and was paying the rent. Since the said land is adjacent to Mugupal High School in the district of Jajpur the above noted property was illegally encroached by the said high school. Despite several efforts made by the late father of the petitioners as well as the petitioners neither the opposite party

are delivering the vacant possession of the above noted property nor paying them the compensation to which they are legally entitled to under law.

4. During course of hearing, Mr. Mohanty submits that liberty may be granted to the petitioners to approach the Collector, Jajpur (opposite Party No.2) for redressal of the grievances of the petitioners by filing a grievance petition and the said opposite party be directed to take a decision on such motion within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioners to file a grievance petition before the Collector, Jajpur (opposite party No.2) through registered post within a period of two weeks from today. In the event, such a petition is filed along with a certified copy of this order, the opposite party No.2 is directed to take a decision on the same in accordance with law within a period of eight weeks from the date of receipt of such grievance petition keeping in mind the interest of all legal heirs of late Padma Charan Sahu, who according to the petitioners was their father and communicate the result of such exercise to the petitioner No.3, who in turn is directed to share such information with the other petitioners.

6. Accordingly, this writ petition is disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Biswajit Mohanty)
Judge

(Biraja Prasanna Satapathy)
Judge