

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.26325 of 2022

***Gagan Bihari Choudhury and
others***

.....

Petitioners

Mr.Lambodar Pradhan, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. D.K.Mohanty, ASC

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE SAVITRI RATHO

ORDER

12.10.2022

Order No.

01.

1. Heard Mr.Pradhan, learned counsel for the petitioners and Mr. Mohanty, learned Additional Standing Counsel.
2. According to Mr. Pradhan, the petitioners are aggrieved by the inaction of the authorities, more particularly, Tahasildar, Mahakalapara (opposite party No.3) in not settling a piece of government land in their favour though they are entitled to get the same under the provision of Orissa Government Land Settlement Act, 1962.
3. Mr. Mohanty, learned Additional Standing Counsel submits that the application for settlement of land under

Annexure-2 has only been filed by petitioner No.1 so also the representation under Annexure-3. Accordingly, he submits that the present writ application should be confined to petitioner No.1 only.

4. Mr. Pradhan, learned counsel for the petitioners without disagreeing with the above submissions, submits this case be confined to petitioner No.1 and that liberty be granted to the petitioner Nos.2 and 3 for filing appropriate application form/s for redressal of their grievances before the appropriate authority under the Orissa Government Land Settlement Act and Rules framed thereunder for settlement of land in their favour. Prayer as made is allowed.

5. Mr. Pradhan submits that though the application for settlement of land was filed by the petitioner No.1 on 15.9.2021 before the Tahasildar, Mahakalapara (opposite party No.3) under Annexure-2, but till date, the same remains pending with the said opposite party, and accordingly prays for a direction to the said opposite party to take a decision on such application within a specific time period.

6. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs the opposite party No.3 to take a decision on the above noted

application dated 15.9.2021 for settlement of land under Annexure-2, in accordance with law, within a period of three months from the date of receipt of the certified copy of this order, if the same has not been disposed of in the meantime, and communicate the result of such exercise to the petitioner No.1.

7. With the above observations and direction, the writ application is disposed of.

8. Urgent certified copy of this order be granted as per rules.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

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