

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 27670 of 2022

Susanta Kumar Nayak

.....

Petitioner

Mr. P.K. Nayak, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

02.12.2022

Order No.

02.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to implement the order dated 02.12.2020 passed by the Sub-Collector Bolangir in OLR Case No. 1/2019 under Section 23 (A) of OLR Act, pursuant to the direction given by the Additional District Magistrate, Kandhamal on 29.07.2022 under Annexure-5.

4. Mr. A.K. Mishra, learned Additional Government Advocate contended that this Court cannot be treated as the executing Court of the order passed by the Sub-Collector Bolangir dated 02.12.2020 in OLR Case No. 1/2019 under Section 23 (A) of OLR Act and contended that since forums are available, instead of approaching the said forums, the petitioner has approached this Court, which is not sustainable in the eye of law.

5. Having heard learned counsel for the parties and after going through the records, since the petitioner wants to implement the order dated 02.12.2020 passed by the Sub-Collector Bolangir in

OLR Case No. 1/2019 under Section 23 (A) of OLR Act, pursuant to the direction given by the Additional District Magistrate, Kandhamal on 29.07.2022 under Annexure-5, this Court is not inclined to entertain this writ petition as forums are available to him for redressal of his grievance. More so, this Court cannot be treated as the executing Court of the order passed by the Sub-Collector.

6. In course of hearing, learned counsel for the petitioner contended that the petitioner may be permitted to withdraw the writ petition with liberty to approach the appropriate forum in accordance with law.

7. With that liberty, the writ petition stands disposed of.

Arun

(DR. B.R. SARANGI)
JUDGE

