

IN THE HIGH COURT OF ORISSA AT CUTTACK

CMP NO.1052 of 2022

Ashok Bhol **Petitioner**
Mr. Sourav Tibrewal, Advocate

-versus-

Administrative Manager, PCL-STICCO, **Opp. Parties**
Ganjam and another

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
04.11.2022

Order No.

1. This matter is taken up through hybrid mode.
2. Petitioner in this CMP seeks for a direction for early disposal of CS No.201 of 2008 stated to be pending before learned Civil Judge (Senior Division), Khordha.
3. Mr. Tibrewal, learned counsel for the Petitioner submits that the suit has been filed for recovery of rent from National Highway Authority of India (NHAI) and other consequential and ancillary reliefs. It is further submitted that the NHAI had moved this Court in W.P.(C) No.17057 of 2011, which was disposed of with the following direction:-

“Accordingly, we dispose of the writ petition with direction that all the materials stored may be released in favour of the petitioner-National highway Authority in presence of the local jurisdictional police of the Circle Inspector rank after conducting an inventory. The entire exercise shall be completed within two weeks from the date of receipt of this order.”

It is his submission that NHAI had taken the suit land on rent recorded in the name of the Petitioner for the purpose of storing materials for construction of National Highway. Since they did not pay any rent to the Petitioner the aforesaid suit has been

filed. Written statement in the suit has already been filed since 2018 and the suit is ready in all respect for early disposal. Learned counsel for the Petitioner, however, submits that he has no instruction as to whether there is any legal impediment for early disposal of the suit. He further submits that since the suit is pending for last fourteen years, an endeavour should be made for early disposal of the suit.

4. Considering the submission of learned counsel for the Petitioner, this Court is not clear about the status of the suit, as no order sheet of the suit is annexed to the CMP. It however appears that the suit is of the year 2008. Hence, endeavour shall be made by learned trial Court for early disposal of suit, if there is no legal impediment. Parties are directed to cooperate with learned trial Court for disposal of the suit.

5. With the aforesaid observation the CMP is disposed of.
Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge