

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33302 of 2021

Bidyadhar Ojha

....

Petitioner

Mr. Niranjana Prasad Patra,
Advocate

-versus-

***Commissioner, Consolidation and
Settlement, Cuttack and another***

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

**CORAM:
JUSTICE K.R.MOHAPATRA**

**ORDER
04.01.2022**

Order No.

1. This matter is taken up through hybrid mode.
2. This writ petition has been filed for a direction to the Commissioner, Consolidation and Settlement, Cuttack-Opposite Party No.1 to dispose of R.C. Case No.402 of 2015 filed under Section 37(1) of the O.C.H. & P.F.L. Act, 1972 within a stipulated time.
3. It is submitted by Mr. Patra, learned counsel for the Petitioner that the State is the only Opposite Party in the said revision case and there is no legal impediment for early disposal of the same. However, the Commissioner is not taking any step for early disposal of the revision case for which the Petitioner is seriously prejudiced.
4. Mr. Mishra, learned Additional Standing Counsel submits that he has no instruction with regard to the status of R.C. Case No. 402 of 2015 as well as the number of similar type of cases pending

before the Commissioner. Hence, he prays for an adjournment to take instruction in the matter.

5. Taking into consideration the submissions made by learned counsel for the parties and the order proposed to be passed in this writ petition, this Court without waiting for the response from the Opposite Parties proceeds with the matter.

6. Accordingly, this writ petition is disposed of with a direction that in the event the Petitioner serves a copy of the revision petition on learned State Counsel who is attached to the court of Commissioner, Consolidation and Settlement, Cuttack, learned State Counsel shall accept the same on behalf of the State. After the notice on the Opposite Party is made sufficient, the Commissioner, Consolidation and Settlement, Cuttack-Opposite Party No.1 shall take steps for early disposal of Revision Case No. 402 of 2015 as expeditiously as possible preferably within a period of ten months therefrom giving opportunity of hearing to the parties concerned, if there is no legal impediment for the same.

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

(K.R. Mohapatra)
Judge

bks