

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 33817 of 2021

Janaki Ballav Maharana

....

Petitioner

Mr. Kedar Kumar Dash, Advocate

-versus-

State of Odisha 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. Petitioner in this writ petition prays for a direction to Tahasildar, Sadar Cuttack-Opposite Party No.2 to change the status of the tenancy from 'Darchandana' to 'Chandana' by deleting the name of landlord.
3. It is submitted by Mr. Dash, learned counsel that the Petitioner has filed an application under Section 238 of the Tenancy Act, 1913 read with Section 4 of the Odisha Land Reforms Act, 1960, which is pending before Tahasildar, Sadar Cuttack in OLR Case No.3 of 2017.
4. In course of hearing, Mr. Dash, learned counsel for the Petitioner submits that interest of justice will be best served if a direction is made to dispose of OLR Case No.3 of 2017 at an early date in accordance with law.
5. Mr. Mishra, learned ASC submits that he has no instruction in the matter. However, on perusal of averments made in the writ petition, it appears OLR Case No.3 of 2017 may not be maintainable before the Tahasildar, Sadar Cuttack.

He further submits that if such an application is still pending before the Tahasildar he may take a decision on the same in accordance with law.

6. Taking into consideration the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merit of the case of the Petitioner, disposes of the writ petition with a direction that the Tahasildar, Sadar Cuttack to take up OLR Case No.3 of 2017 and dispose of the same in accordance with law, as expeditiously as possible preferably within a period of six months from the date of production of certified copy of this order, if the matter is otherwise ready and there is no legal impediment for disposal of the same.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge

s.s.satapathy