

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) PIL No.26390 of 2019

Basanta Kumar Khatua

....

Petitioner

Mr. Manoj Kumar Mohanty, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Debakanta Mohanty, Additional Government Advocate and

Mr. Biraja Prasana Das, Advocate for Intervenor

CORAM:

THE CHIEF JUSTICE

JUSTICE R. K. PATTANAİK

Order No.

ORDER

04.08.2022

W.P.(C) PIL No.26390 of 2019 and I.A. No.1806 of 2020

05. 1. The school in question is located over two plots i.e. Hal Plot No.2/207 measuring AC.0.100 decimal and Plot No.2 measuring Ac.1.270 decimal under Hal Khata No.51 of Mouza-Bishnupada. The prayer is that the land should be recorded in the name of Brahmanikolah Primary School.
2. It is an admitted position that although the school was initially a private school, as of today, it is a Government school. From the counter affidavit filed on behalf of Opposite Parties 4 and 5, it is plain that the land is now recorded in Government Anabadi Khata classification under Puratan Patita and its kisam is 'Gramya Jungle' i.e. village forest land.
3. In the circumstances, the question of now issuing a direction to change the record of rights (RoR) in favour of the school is not

necessary since it is a Government school on Government land. As far as the intervention application is concerned, it will be open to the parties to work out their respective remedies in the Civil Suit stated to be pending.

4. Accordingly, the writ petition and the I.A. are disposed of.

(Dr. S. Muralidhar)
Chief Justice

M. Panda



(R. K. Pattanaik)
Judge