

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.29191 of 2022
(Through Hybrid mode)

Sudharani Sahoo

....

Petitioner

Mr. Subrata Mishra, Advocate

-versus-

Collector, Dhenkanal and others

....

Opposite Parties

Mr. A. K. Sharma, AGA

Mr. P. Panigrahi, Advocate for O.P.6

CORAM: JUSTICE ARINDAM SINHA

ORDER
14.12.2022

Order No.

- 02.
1. Mr. Mishra, learned advocate appears on behalf of petitioner, who is Secretary of a Women Self Help Group (WSHG). He submits, opposite party no.6 has been given engagement for acquiring paddy for last three years.
 2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and relies on paragraph 9 in the counter filed. Said paragraph is reproduced below.

“9. That it is further humbly submitted that the registration process for KMS 2022-23 has already been completed since 30.09.2022 and the Opp. Party No.6 in whose favour

the area is delineated and the said WSHG is going to procure paddy w.e.f. 28.12.2022 as decided in the District Level Paddy Procurement Committee, therefore, the writ petition has become infructuous.”

3. Mr. Panigrahi, learned advocate appears on behalf of private opposite party no.6 and relies upon his client's counter for disclosure dated 4th December, 2022 at annexure-C. This is information given by Food Supplies and Consumer Welfare Department, Government of Odisha regarding farmer registration status report of Dhenkanal District from 15th July, 2022 to 4th December, 2022.

4. Information obtained from the Department and disclosed as annexure-‘C’ by opposite party no.6 in its counter creates a cloud on assertion by State in paragraph 9 of the counter. If registration process had already been completed on 30th September, 2022, the Department could not have given information on status report regarding the registration from 15th July, 2022 to 4th December, 2022. In the circumstances, there will be direction upon opposite party no.1 to consider representation dated 11th July, 2022 of petitioner. Said opposite party will either register petitioner or inform her why there cannot be registration. It is made clear, ground

for refusal, if petitioner's application is to be refused, must be other than registration completed as alleged in the counter.

5. The registration or refusal must be informed to petitioner within two weeks of communication.

6. The writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant

