

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29535 of 2022

Bidura Mallick & Anr.

....

Petitioner(s)

Ms. P.P. Mohanty,
Advocate

-versus-

Jalandhara Sahu & Ors.

....

Opposite Party(s)

Mr. U.K. Sahoo,
Addl. Standing Counsel

CORAM:

JUSTICE BISWANATH RATH

ORDER

14.11.2022

Order No.

01.

1. Undisputedly the proceeding U/s.15(b) of the O.S.S. Act has been declined on the ground of pendency of a Second Appeal vide RSA No.324 of 2005. Further undisputedly the property involved in the proceeding U/s.15(b) of the O.S.S. Act also remains subject in the Second Appeal.

2. In the circumstance this Court while observing any outcome involving the disputed property through the proceedings otherwise than the civil suit shall ultimately be abided by the final outcome in RSA No.324 of 2005, at the same time this Court also observes, in the event the Petitioners have any inconvenience in the continuance of the record of rights and have any apprehension of any action dependent on such publication, they are at liberty to move second appellate court for appropriate relief.

3. The Writ Petition stands disposed of with the above order.

(Biswanath Rath)
Judge