

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 35602 OF 2021

Dipanjalee Meher ***Petitioner***

Mr. Debabrata Dash, Advocate

-versus-

State of Odisha and another ***Opp. Parties***

Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
05.04.2022

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition prays for a direction for early disposal of Demarcation Case No.300 of 2021 pending before the Tahasildar, Dharamgarh-Opposite Party No.2.
 3. Mr. Dash, learned counsel for the Petitioner submits that the land in question is recorded in the name of the Petitioner under Annexure-1. Due to her legal necessity, the Petitioner intended to sell the property and on measurement it is found that the area is not in consonance with the R.O.R under Annexure-1. In that view of the matter, she filed an application for demarcation of land (Demarcation Case No.300 of 2021), which is pending for consideration before the Tahasildar, Dharamgarh-Opposite Party No.2. Although there is no civil, criminal or other proceeding pending in respect of land in question and there is no legal impediment for early disposal of the Demarcation Case No.300 of 2021, no endeavour is being made by the Tahasildar, Dharamgarh for its demarcation. In view of the above, this writ petition is filed for the aforesaid relief.

4. Mr. Mishra, learned Additional Government Advocate submits that he has no instruction in the matter and prays for an adjournment to take instruction in the matter.

5. Taking into consideration the innocuous nature of the prayer made in this writ petition and the submission of learned counsel for the parties, this Court without waiting for the response from learned State Counsel proceeds with the matter.

6. In view of the facts and circumstances stated above, this Court without expressing any opinion on the merits of the case disposes of the writ petition with a direction that on production of certified copy of this order within a period of two weeks hence, the Tahasildar, Dharamgarh-Opposite Party No.2 shall do well to make an endeavour for early disposal of Demarcation Case No.300 of 2021 as expeditiously as possible, preferably within a period of eight weeks therefrom by issuing notice to the Petitioner as well as boundary tenants to participate in the hearing of the demarcation case and also to be present at the time of demarcation, if there is no legal impediment.

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

(K.R. Mohapatra)
Judge

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