

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.6894 of 2021

Dushasan Behera

....

Petitioner

Mr.S.P.Barik, Advocate

-versus-

*Dr.Ashok Das, Tahasildar, Soro,
Balasore.*

Opposite Party(s)

Mr.S.P.Panda, Advocate

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
12.01.2022**

Order No.

3.

1. This matter is taken up through Video Conferencing Mode.
2. Heard learned counsel appearing for the parties.
3. It is claimed by Mr.Panda, learned counsel appearing for the contemnor that a show cause affidavit is already filed on 3.1.2022. Perused the affidavit so filed by the contemnor. Through paragraphs-8 and 9, the contemnor has submitted as follows:

“8. That it is humbly submitted that the Tahasildar, Soro has issued letter to Amin Sri Sudhansu Sekhar Pradhan, with concerned R.I. and Revenue Supervisor, Soro vide this office Letter No.4016 dated 16.12.2021 to demarcate and remove the required number of palm trees for construction of proposed drain on 22.12.2021 at 10.00 A.M. with next Memo to the I.I.C., Soro, Police Station to maintain breach and peace of the said land and Divisional Forest Officer, Balasore Wildlife Division, Balasore to dispute Ranger with cutting machine at the time of demarcation and removal of the palm trees for construction drainage along with boundary tenants to be remain present on the spot during the process of demarcation and removal of trees.

9. That it is humbly submitted that the Tahasildar, Soro has requested to the Sub-Divisional Magistrate-cum-Sub-Collector, Balasore vide this Office Letter No.4003 dated 15.12.2021 for deployment of Police force & Executive Magistrate on 22.12.2021 at 10.00 A.M. for demarcation and removal of the palm trees for construction of proposed drain of the said land of Mouza-Solagan. The demarcation

with enumeration plan tree of Plot No.1657 an area Ac.0.03 dec. of Khata No.551 under Mouza-Solagan has already been completed on 22.12.2021 in presence of Additional Tahasildar, Soro, ASI, Anantapur Beat House, Ranger of Chandipur, Revenue Supervisor, Soro, R.I. Pakhara, Amin, Soro, Sarpanch of Tentei Panchayat with villagers.”

4. There is also support to such response through document vide Annexure-C. Keeping this in view, this Court finds the contempt petition needs not be entertained any further, which is deemed to have been closed.

5. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court’s website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court’s Notice No.4587, dated 25th March, 2020 as modified by Court’s Notice No.4798, dated 15th April, 2021 and Court’s Office order circulated vide Memo Nos.514 & 515 dated 7th January, 2022.

(Biswanath Rath)
Judge