

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 36776 of 2021

Krushna Behera

....

Petitioner

Mr. Shashi Bhusan Jena, Advocate

-versus-

***Sub-Collector, Chhatrapur and
another***

....

Opp. Parties

Mr. S.N. Mishra,
Additional Government Advocate

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
04.01.2022**

Order No.

1. This matter is taken up through hybrid mode.
2. Petitioner in this writ petition seeks to assail the order dated 25th February, 2021 (Annexure-5) passed by Sub-Collector, Chhatrapur in OLR Case No.43 of 2017 filed by the Petitioner under Section 22(1) of the Odisha Land Reforms Act, 1960.
3. In course of hearing, Mr. Jena, learned counsel for the Petitioner submits that the impugned order is appealable one. Hence, he prays for withdrawal of the writ petition to avail the statutory remedy. He, further submits that the delay in filing the appeal may be construed liberally.
4. Mr. Misha, learned AGA submits that he has no objection if the Petitioner withdraws the writ petition to avail the statutory remedy. As the impugned order was passed on 25th February, 2021 and in the meantime, more than ten months have already been lapsed, the Petitioner has to explain the delay in filing the appeal before the appellate authority.

5. Taking into consideration the submissions made by learned counsel for the parties, the writ petition is disposed of as withdrawn. While considering the petition for condonation of delay, the appellate authority shall take a liberal view in the matter keeping in mind that the Petitioner belongs to scheduled caste community and he has inadvertently approached this Court by filing the present writ petition which is pending since 23rd November, 2021 along with other grounds.

Issue urgent certified copy of the order on proper application.



s.s.satapathy