

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No. 6336 of 2020

Sangram Nayak

....

Petitioner

Mr. Samarendra Mohanty, Advocate

-versus-

Smrutiprajna Priyadarshini, O.A.S

Opposite Party

(J.B) Tahasildar, Kujang,

Jagatsinghpur

Mr. Anupam Rath, ASC

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

19.04.2022

Order No.

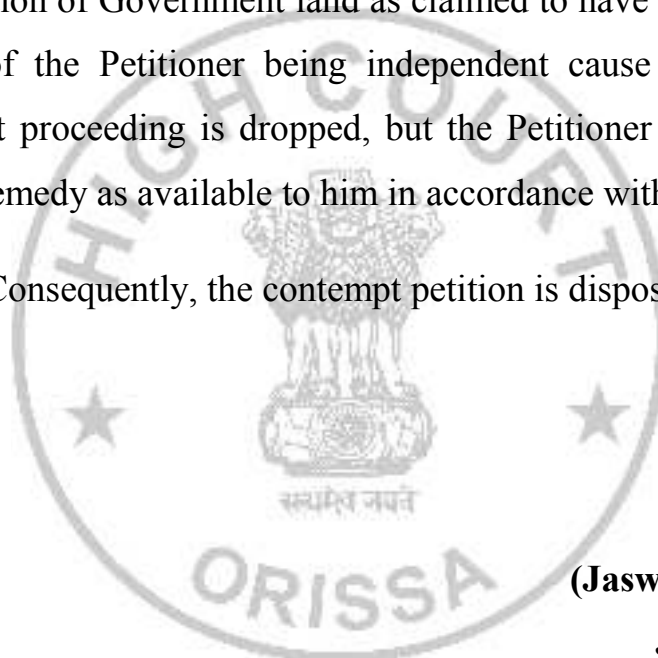
- 04.**
1. This matter is taken up by virtual/physical mode.
 2. Bringing it to the notice of this Court non-compliance of order dated 7th September, 2020 passed in W.P (C) No. 12166 of 2020, whereby the Opposite Party No. 1 was directed to dispose of the representation of the Petitioner within 14 days of its presentation the contempt petition has been filed. It was directed that in the event illegal construction is found to be made on the subject land, the same is required to be demolished.
 3. In the writ petition it was claimed by the Petitioner that unauthorized construction was being made by the Opposite Party No.2 over Plot No. 34 of 787 under Khata No. 453 of 75 of Village Barunakandha, which has been allowed in favour of the Petitioner under the provisions of the Odisha Government Land Settlement Act, 1962. The Tahasildar, Kujang submitted compliance report

dated 8th January, 2021 which is taken on record, wherein the following has been stated:

“In view of the above facts since the settlement of Government land in favour of the Petitioner is found illegal and appeal case is pending before Collector and District Magistrate, Jagatsinghpur the question of demarcation does not arise. Hence, the prayer of the Petitioner is no merit and liable to be dismissed.”

4. In view of the above, this Court finds no deliberate non-compliance by the Opposite Party. The initiation of proceedings for cancellation of Government land as claimed to have been settled in favour of the Petitioner being independent cause of action, the contempt proceeding is dropped, but the Petitioner is at liberty to pursue remedy as available to him in accordance with law.

5. Consequently, the contempt petition is disposed of.



(Jaswant Singh)
Judge

(M.S. Raman)
Judge