

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 31547 of 2022

Dhrubaram Mishra & Others

Petitioners

Mr.B.Mohapatra, Advocate.

Vs.

State of Odisha & Others

Opposite Parties

Mr.P.P.Mohanty, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

01.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. B.Mohapatra, learned counsel for the Petitioners and Mr.P.P.Mohanty, learned Additional Government Advocate for the State- Opposite Parties.

3. The present Writ Petition has been filed with the following prayer:-

“ Under the aforesaid circumstances more fully narrated herein above the petitioners most humbly pray that this Hon’ble Court may graciously be pleased to issue Rule NISI calling upon the opposite parties more particularly to O.P. No.2 and 3 to show cause as to why the Opp.Party No.2 shall not undertake the exercise keeping in view the family genealogy under Annexure-2 to deprive the proportionate share of respective parties if the opposite parties facts to show cause and show insufficient cause the rule be made absolute

Or

In the alternative this Hon’ble Court may be pleased enough to direct the O.P. No.2 to disposing the representation under Annexure-5 within time frame. Keeping in view the genealogy under Annexure-2”.

4. In course of hearing, learned counsel for the Petitioners states that highlighting their grievance, the Petitioners have made representation to Opposite Party No.2 vide Annexure-5 and the same may be directed to be considered taking into consideration under Annexure-2 within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioners vide Annexure-5, and taking into consideration under Annexure-2 within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat