

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.37781 of 2021

Jitendra Roul

.... ***Petitioner***
Mr. B. Dash, Advocate

-versus-

State of Odisha and another

.... ***Opp. Parties***
Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R.MOHAPATRA

ORDER

05.01.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks to assail the orders dated 10th May, 2021 and 21st May, 2021 passed by the Tahasildar, Soro in Mutation Case No. 206 of 2021.
3. In course of hearing, learned counsel for the Petitioner submits that the orders impugned herein are appealable under Rule 42 of the Odisha Survey and Settlement Rules, 1962 (for short 'the Rules'). Hence, he prays for withdrawal of the writ petition to avail the statutory remedy. It is further submitted that the appellate authority may be directed to consider the prayer for condonation of delay liberally.
4. Mr. Mishra, learned Additional Government Advocate submits that since the impugned orders are appealable under the Rules, the Petitioner may avail the statutory remedy and also pray for condonation of delay before the appellate authority.
5. Taking into consideration the submissions made by learned counsel for the parties, this writ petition is disposed of as withdrawn.

6. If the appeal, as aforesaid, is filed against the impugned orders within a period of two weeks hence, the appellate authority while considering the petition for condonation of delay shall take into consideration the pendency of the writ petition before this Court from 30th November, 2021 till date along with other grounds.

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

(K.R. Mohapatra)
Judge

bks

