

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32399 of 2022

Sanjukta Panigrahi

....

Petitioner

Mr. S. Pr. Das, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. T.K. Pattanaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the writ petition as well as documents annexed to the writ petition.
 3. The present writ petition has been filed by the petitioner with the following prayers:

“It is, therefore, prayed that this Hon’ble Court may graciously be pleased to admit the writ application, issue notice to the Opp. Parties, call for the records and direct the opp. Party to procure paddy from the petitioner in the respect of her farmer registration code No.F27090002838 within a stipulated time in the interest of justice.

And to Pass any other writ/writs and order(s)/direction(s) that Your Lordship may deem fit and proper in the interest of justice, equity and good

conscience.”

4. It is submitted by learned counsel for the petitioner that after verification of record, the petitioner’s name was registered by the authorities for procurement of paddy by the Government under Kharif Marketing Session (KMS) 2022-23. Despite the registration of the name of the petitioner, the authorities are not procuring the paddy from the petitioner. Therefore, the petitioner approached this Court by filing the present writ petition. It is further submitted by learned counsel for the petitioner that the land belongs to her father-in-law and there is no dispute with regard to procurement of paddy on the land and that the same exclusively belongs to the petitioner. Therefore, the authorities should have procured paddy from the present petitioner.

5. On perusal of the registration form, the endorsement appears on the top of the objection point.

6. Further, on perusal of the writ petition, it appears that the petitioner is the recorded owner and objection received for claiming their share over the land. Therefore, the petitioner is the farmer as has been marked in the endorsement.

7. However, learned counsel for the State submits that the petitioner may be directed to approach before the competent authority by filing a fresh representation in the meantime and the same shall be heard and considered in accordance with law within a stipulated period of time.

8. Learned counsel for the State submits that he has no objection,

if a direction is given to the Principal Chief Secretary, Water Resources Department, Bhubaneswar-Opposite Party No.1 to consider the representation of the petitioner in accordance with law within a stipulated period of time.

9. Considering the aforesaid submissions made by the parties and limited nature of grievance, this Court disposes of the writ petition at the stage of admission with a direction to the petitioner to file a fresh representation highlighting his grievances along with copies of the relevant documents in support of his claim before the Collector and District Magistrate, Rayagada-Opposite Party No.3 within a period of two weeks from today. In the event such a representation is filed within the aforesaid period, the same shall be considered and disposed by passing a speaking and reasoned order within a period of six weeks from the date of filing of fresh representation and in the event Opposite Party No.3 comes to a conclusion that the objections made by the petitioner is satisfactory then necessary steps be taken for procurement of paddy within a period of two weeks thereafter. Any decision taken on the same shall be communicated to the Petitioner within a period of two week thereafter.

10. With the aforesaid observation/direction, the writ petition is disposed of.

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

(A.K. Mohapatra)
Judge