

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 38437 of 2021

Bangalata Swain

.... Petitioner

Mr. T. Panigrahi, Advocate

-versus-

The Collector, Puri & others

.... Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

05.01.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioner in this writ petition is with regard to use of Plot Nos.151 and 152 under Khata No.790 of Mouza-Puba Sasan, which are recorded in Government Khata for access to her plot in Plot No.153.
3. Mr. Panigrahi, learned counsel for the Petitioner submits that in that regard, the Petitioner has made representations to the Opposite Parties, which are stated to be pending for consideration. He, therefore, prays for a direction for early disposal of the said representations.
4. Upon hearing learned counsel for the Petitioner and on perusal of the writ petition, it appears that the Petitioner is claiming easmentary right over Plot Nos. 151 and 152 under Khata No.790 of Mouza-Puba Sasan in the district of Puri, which are recorded in Government Khata. Such a prayer cannot be granted in exercise of power under Article 226 of the Constitution.

5. In view of the above, I am not inclined to entertain this writ petition, which is accordingly dismissed.

6. However, dismissal of the writ petition shall not be a bar for the Petitioner to work out her remedy available under law.

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

(K.R. Mohapatra)
Judge

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