

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO.38816 OF 2021

Wilson Naik

....

Petitioner

Mr.R.K.Panda, Adv.

-versus-

State of Odisha & ors.

....

Opposite Parties

Mr.R.P.Mohapatra, AGA

CORAM:
JUSTICE BISWANATH RATH

Order
No.

ORDER
11.1.2022

- 02.
1. This matter is taken up through video conference mode.
 2. Heard learned counsel for the Parties.
 3. There is a serious allegation by the Petitioner that in spite of direction of this Court dated 26.3.2019 issued in W.P.(C) No.5651/2019 to dispose of the Appeal, the Appeal is unnecessarily kept pending on the premises of non-receipt of Records from the Tahasildar, G.Udaygiri, O.P.4. It is further alleged that there are several dates in the meantime and the Appeal is yet to be completed. The Petitioner also establishes his case through several orders being passed by the Appellate Authority through Annexure-3 series.
 4. Taking serious note of such allegations, this Court disposes of the Writ Petition directing the Tahasildar, O.P.4 to forthwith transmit the original proceeding Records to the concerned Appellate Authority, i.e., Sub-Collector, Baliguda, O.P.3 by undertaking such exercise within ten days of receipt of copy of such order and upon

receipt of the Records from the Tahasildar within ten days of service of the order, the Appellate Authority shall do well in disposing of the Appeal in accordance with law and providing opportunity of hearing to both sides by completing the entire exercise within a period of one and half months from the date of communication of this order.

5. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the Parties may utilize a printout of the order available in the High Court's Website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020, modified by Notice No.4798 dated 15th April, 2021 and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Biswanath Rath)
Judge

M.K.Rout