

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33581 of 2022

Antaryami Hota

....

Petitioner

Mr. Sarbeswar Behera, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.12.2022

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 record as well as documents annexed to the writ petition.
3. The present writ petition has been filed by the petitioner challenging the inaction of the authorities in disposing the appeal pending before the Opposite Parties preferred by the petitioner against the order 03.09.2018 under Annexure-1 passed by the Collector and District Magistrate, Dhenkanal.
4. It is submitted by learned counsel for the petitioner that initially challenging the order under Annexure-1, the petitioner approached the Principal Secretary to Government, R&DM Department, Bhubaneswar by filing an appeal dated 15.04.2019. However, the same was kept pending. No action has been taken on the same as of now and the action of the Chief Secretary to Government, the petitioner compelled to approach before this Court by filing the present writ petition.

5. Learned counsel for the State, on the other hand, submits that since the appeal is pending before the competent authority i.e. Principal Secretary to Government, Revenue & Disaster Management Department-Opposite Party No.1 under Annexure-3, a direction may be given to the Opposite Party No.1 to consider and dispose of the appeal within a stipulated period of time.

6. Considering the submissions made by the respective parties, this Court disposes of the writ petition at the stage of admission by directing the Principal Secretary to Government, Revenue & Disaster Management Department-Opposite Party No.1 to consider and disposed of the appeal of the petitioner dated 15.04.2019 under Annexure-3 from the date of production of certified copy of this order. The Opposite Party No.1 shall act upon the same on production of certified copy of this order in accordance with law within a period of six weeks. In the event the petitioner is eligible to get the claim, the same shall be paid to him within a period of one month thereafter.

7. 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