

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.39387 OF 2021

Prem Kumar Agrawalla and another ***Petitioner(s)***
Mr.P.K.Rath,Adv.

-versus-

State of Odisha and others ***Opposite Party(s)***
Mr.S.Ghose,AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER

26.09.2022

Order No.

02.

1. Heard learned counsel for the Parties.
2. This matter involves some outcome in a settlement proceeding as emphasized by Mr.Rath, learned counsel for the Petitioners and the order involve also appears to be passed by the Assistant Settlement Officer under the Odisha Survey Settlement Act. Mr. Rath, learned counsel for the Petitioners advances his submission in challenge to the impugned order at Annexure-1.
3. Considering the submission of learned counsel for the Petitioner, for limited scope available with the Officer under the Odisha Survey Settlement Act, this Court finds controversy involved herein cannot be entertained and adjudicated by the Settlement Authority. Further since Petitioners claim their right over the disputed property depending on some documents, there is likelihood of conflict between the parties, thus this Court finds, nothing prevented the Petitioners to approach the competent authority for remedying out the difficulty created in the meantime.
4. In the circumstance this Court finds, there is no scope to entertain such issues in a Writ Petition. While dismissing the Writ

Petition this Court observes if Petitioners have any opportunity under any other law, there is no prohibition to move accordingly.

(Biswanath Rath)
Judge

Swarna

