

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39830 of 2021

Ashwani Kumar Das

....

Petitioner(s)

Mr. R.K. Dash,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr. D.K. Mishra,
Additional Government Advocate

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
02.02.2022**

Order No.

01. 1. This matter is taken up by video conferencing mode.
2. This writ petition has been filed seeking a direction for completing the demarcation proceeding vide Demarcation Case No.284 of 2021.
3. In his opposition Mr. Mishra, learned Additional Government Advocate taking this Court to the plea taken in paragraph no.6 at page 8 of the brief, submitted that there appears to be a civil suit and pendency of such civil suit might be creating obstruction in undertaking the exercise involving demarcation proceeding.
4. Considering the rival contentions of the parties this Court observes, once a demarcation proceeding is already initiated and registered, it is the duty of the Tahasildar to pass appropriate order, but however keeping in view the obstruction, if any, by way of pendency of civil suit involved herein.
5. The entire exercise shall be completed involving the parties likely to be affected, within a period of one & half months from the

date of communication of an authenticated copy of this order by the Petitioner.

6. The writ petition stands disposed of with the above direction.

4. 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 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide memo Nos.514 & 515 dated 7th January, 2022.

(Biswanath Rath)
Judge

Ayaskanta Jena

