

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.40250 of 2021

Shree Budheswar Dev

....

Petitioner(s)

Mr. S. Roy,
Advocate

-versus-

***Commissioner, Consolidation,
Odisha & Ors.***

....

Opposite Party(s)

Mr. D.K. Mishra,
Addl. Govt. Adv.

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
04.02.2022**

Order No.

01. 1. This matter is taken up by video conferencing mode.
2. Undisputedly this writ petition involves a challenge to the order dated 3rd May, 2016. On his own submission the Petitioner has admitted to be a party to such proceeding. Since the Petitioner had already participated in the proceeding and got outcome in 2016, nothing prevented the Petitioner to approach the competent Court of law in appropriate time. There is inordinate delay of six years in challenging the order passed by the statutory authority. For the settled position of law, a writ of this nature can only entertained at least within one year. The writ petition is accordingly dismissed on the ground of delay alone.

3. 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

