

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 41034 OF 2021

Namita Pradhan

....

Petitioner

Mr. Prasanta Kumar Jena, Advocate

-versus-

Tahasildar, Banarpal and others

....

Opp. Parties

Mr. Swayambhu Mishra,

Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

11.01.2022

Order No.

1. This matter is taken up through video conferencing mode.
2. The Petitioner in this writ petition prays for a direction for early disposal of Demarcation Case No.72 of 2014-15 pending before the Tahasildar, Banarpal-Opposite Party No.1.
3. Mr. Jena, learned counsel for the Petitioner referring to the information obtained under the R.T.I. Act submits that the record of Demarcation Case No.72 of 2014-15 is not traceable in the office of Tahasildar, Banarpal. Hence, interest of justice will be best served, if the Petitioner files a fresh application for demarcation of the land in Plot No.166/1243 to an extent of Ac.0.120 decimals under Khata No. 105/1300 in mouza Turanga Jungle under Banarpal Tahasil in the district of Angul (for short 'the case land') and a direction may be made for early disposal of the same in accordance with law.
4. Mr. Mishra, learned Additional Government Advocate does not have any objection to the same.
5. Taking into consideration the submissions of learned counsel for the parties, this Court without expressing any opinion on

the merits of the case disposes of this writ petition with a direction that in the event the Petitioner files a fresh application before the Tahasildar, Banarpal-Opposite Party No.1 for demarcation of the case land in proper format along with requisite fee and relevant documents within a period of two weeks hence and proves that she is competent to make such an application, the Tahasildar, Banarpal-Opposite Party No.1 shall entertain the same and do the needful in accordance with law within a period of four months thereafter after giving notice to the Petitioner as well as the boundary tenants to participate in the hearing of such application and also to be present at the time of demarcation, if there is no legal impediment.

6. As the 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.

(K.R. Mohapatra)
Judge

bks