

(2023) 01 OHC CK 0037
In the Orissa High Court
Case No : Writ Petition (C) No. 6301 Of 2014

Banabihari Swain

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 11-01-2023

Acts Referred:

Orissa Government Land Settlement Act 1962 — Section 3B

Citation : (2023) 01 OHC CK 0037

Hon'ble Judges : Dr. S. Muralidhar, CJ; M.S.Raman, J

Bench : Division Bench

Advocate : B.P. Tripathy, Debakanta Mohanty

Final Decision : Disposed Of

Judgement

1. In view of the judgment of this Court dated 2nd January, 2023 in W.P.(C) No.1608 of 2014 and batch (Narottam Rath and others v. State of Odisha and others), the impugned order of the Assistant Settlement Officer (ASO) is hereby set aside and the following directions are issued in this writ petition:

(i) A direction is issued to the ASO to now proceed to record the name of the Petitioner concerning the land in question in his name in the ROR, in accordance with law within a period of eight weeks;

(ii) Where the land in question stands recorded in the final published RoR in the name of the Government that entry will stand cancelled by virtue of this order and the ASO will proceed to record it in favour of the Petitioner.

2. The above directions will be carried out within a period of four months from today. It is made clear that this order will not prevent the Government from exercising powers under Section 3-B of the OGLS Act, in accordance with law.

3. The writ petition is disposed of in the above terms.

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