

(2023) 01 OHC CK 0027
In the Orissa High Court
Case No : Writ Petition (C) No. 10073 Of 2016

Bidyadhar Dash

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 10-01-2023

Acts Referred:

Orissa Government Land Settlement Act, 1962 — Section 7A(3)

Citation : (2023) 01 OHC CK 0027

Hon'ble Judges : Arindam Sinha, J;S. K. Mishra, J

Bench : Division Bench

Advocate : J. R. Dash, A. K. Sharma

Judgement

1. Mr. Dash, learned advocate appears on behalf of petitioner and submits, impugned is order dated 30th June, 1998 in Lease Revision Case no.597 of 1998, initiated suo motu. The order was passed by the Additional District Magistrate under section 7A(3) of then Orissa Government Land Settlement Act, 1962. He draws attention to second proviso under sub-section (3), which says that no proceeding under the section shall be initiated after expiry of 14 years from date of the order. He demonstrates from impugned order itself that the case was registered in year, 1998 suo motu against order dated 15th September, 1975, passed more than 14 years before.

2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and submits, inter alia, the section has undergone amendments.

3. On perusal of present section 7-A we find same underwent amendments by Orissa Act no.38 of 1976, Orissa Act no.18 of 1981 and Odisha Act no.26 of 2013. Parties are to produce those amending Acts on adjourned date, for further hearing and adjudication of the writ petition.

4. List on 25th January, 2023.

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