
(2023) 12 OHC CK 0043
In the Orissa High Court
Case No : Writ Petition (C) No.6236 Of 2018

Bijay Das

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 11-12-2023

Acts Referred:

Citation : (2023) 12 OHC CK 0043

Hon'ble Judges : Dr. B.R. Sarangi, ACJ; Murahari Sri Raman, J

Bench : Division Bench

Advocate : Sephali Das, L. Samantaray

Final Decision : Disposed Of

Judgement

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the parties.
3. The Petitioner has filed this writ petition seeking direction to the Opposite Parties to settle a piece of land measuring Ac.0.04 dec. of Village Gangada in his favour within a stipulated period.
4. Ms. Sephali Das, learned counsel appearing for the Petitioner contended that though the land belongs to the Government, the Petitioner is residing there for last 50 years and as such, he has been sanctioned with Indira Awas Yojana for his residential purpose. Therefore, the land should be settled in his favour.
5. Mr. L. Samantaray, learned Additional Govt. Advocate contended that the application filed by the Petitioner for settlement of the land has already been rejected because the Petitioner is not a landless person and he has also been extended with other benefits as such Indira Awas Yojana for construction of residential house in his own land.
6. Having heard learned counsel for the parties and after going through the records, this Court is of the opinion that since the Petitioner is not a landless

person as defined under the OGLS Act, even though he is residing there for last 50 years, no right has been accrued for settlement of the Govt. land in his favour since the Petitioner has been extended with the benefit of Indira Awas Yojana for construction of his residential house over his land, this Court is not inclined to accede to the prayer made in the writ petition, which is accordingly, disposed of.

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