
(2023) 03 OHC CK 0088
In the Orissa High Court
Case No : Writ Petition (C) No.4608 Of 2019

Biswanath Das

APPELLANT

Vs

Revenue Divisional Commissioner (C.D), Cuttack And Others

RESPONDENT

Date of Decision : 14-03-2023

Acts Referred:

Citation : (2023) 03 OHC CK 0088

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

Bench : Division Bench

Advocate : G. Satpathy, G. N. Rout

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Satpathy, learned advocate appears on behalf of petitioner and submits, his client's ancestors were refugees from Bangladesh and they settled here in Odisha. Drawing attention to paragraph 9 he submits, his client is in occupation on plot no.350. Adjacent plots on both sides have been settled on persons similarly situate. On query from Court he submits, the policy decision is disclosed at page 10. It is by circular dated 18th December, 1964 issued by Board of Revenue, Odisha at Cuttack.

2. Mr. Rout, learned advocate, Additional Standing Counsel appears on behalf of State. He disputes authenticity of the copy disclosed as circular dated 18th December, 1964.

3. Opposite parties are directed to consider petitioner's claim for settlement of plot no.350 on him as a descendent of a refugee. They or the concerned office are to ascertain the policy for settlement. In event petitioner's claim is to be rejected on any other ground apart from a ground saying that he is not a refugee, reasons must also be given to petitioner as to how settlement of adjacent plots were made on the beneficiaries as refugees.

4. Petitioner will communicate this order along with all relevant documents to each of the offices of opposite parties. Within four weeks from the last communication made, petitioner should either have allotment or the reasons to decline his claim.

5. The writ petition is disposed of.

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