

**(2021) 11 OHC CK 0103**

**In the Orissa High Court**

**Case No :** Writ Petition (Civil) Nos. 8386, 8531, 8598 Of 2014

Krushna Ch.Das

APPELLANT

Vs

State Of Orissa & Others

RESPONDENT

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**Date of Decision :** 16-11-2021

**Acts Referred:**

Orissa Survey and Settlement Act, 1958 — Section 15(b)

**Citation :** (2021) 11 OHC CK 0103

**Hon'ble Judges :** Jaswant Singh, J;S. K. Panigrahi, J

**Bench :** Division Bench

**Advocate :** C. Mohanty, A.R.Dash

**Final Decision :** Dismissed

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## **Judgement**

1. This matter is taken up through Hybrid Mode.
2. Petitioner has challenged the order dated 31st May 2013 (Annexure-1) passed by the learned P.I.O-cum-Assistant Settlement Officer, Rental Colony, Bhubaneswar in Objection Case No.16354 of 2013 covered under the ambit of the Orissa Survey and Settlement Act, 1958.
3. At the outset, Mr. Dash, learned counsel appearing for the State submits that the Record-of-rights having been finally prepared and published of the area, including the land claimed by the petitioner, the proper remedy for the petitioner to sustain the challenge would be the revisional jurisdiction before the Board of Revenue in terms of the provisions of Section 15(b) of the Act. He further submits that in the backdrop of the petitioner pursuing his remedy before this Court under mistaken belief, the period sustained is liable to be condoned for maintaining the said remedy under Section 15(b) of the Orissa Survey and Settlement Act, 1958.
4. He further submits that in case the petitioner seeks that remedy within sixty days from today before the said forum, the State will not raise any objection of delay.

5. In view of the fair stand of the opposite party through their learned counsel, the petitioner prays for withdrawal of the Writ Petition with liberty to enable his client to seek relief in accordance with law.

6. Accordingly, with the aforesaid liberty in the above terms, the Writ Petition is dismissed as withdrawn.

7. In view of huge delay having already occurred, we deem it appropriate to direct the revisional authority to dispose of the revision by a speaking order in accordance with law as expeditiously as possible preferably within six months from the date of filing of revision petition.

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