

(2021) 07 OHC CK 0136

In the Orissa High Court

Case No : Writ Petition (Civil) No. 19561 Of 2021

Manjulata Pradhan And Others

APPELLANT

Vs

Commissioner, Consolidation And Settlement, Odisha,
Cuttack And Others

RESPONDENT

Date of Decision : 19-07-2021

Acts Referred:

Odisha Consolidation of Holding and Prevention of Fragmentation of Land Act, 1972 —
Section 37(1)

Citation : (2021) 07 OHC CK 0136

Hon'ble Judges : K.R. Mohapatra, J

Bench : Single Bench

Advocate : Susanta Kumar Nayak, Suman Patnaik

Judgement

K.R. Mohapatra, JÂ Â

1. This matter is taken up through video conferencing mode.
2. Petitioners in this writ petition seek for a direction for early disposal of R.C.No.190 of 2016 filed under Section 37(1) of the Odisha Consolidation of Holding and Prevention of Fragmentation of Land Act, 1972 (for short, 'OCH & PFL Act')
3. It is submitted that although there is no legal impediment for early disposal of the R.C.No.190 of 2016, the authority is not taking any step for disposal of the same in accordance with law.
4. Mr.Mishra, learned Additional Government Advocate, on the other hand, submits that he has no instructions as to the status of the case and the number of pendency of the petitions of this nature before the said authority. Hence, he prays for some time to take instructions in the matter.
5. Taking into consideration the submissions made by learned counsel for the

parties and in view of the order proposed to be passed, this Court feels it proper to proceed with the matter without waiting for learned State counsel to obtain instructions.

6. This writ petition is, accordingly, disposed of with a direction that in the event the petitioner moves an application for early disposal of R.C.No.190

of 2016 stated to be pending before Opposite Party No.1-Commissioner, Consolidation and Settlement, Odisha, Cuttack stating the grounds therein

within a period of two weeks hence, he shall do well to consider and dispose of the said application within a period of two weeks from the date of

filing of said application along with an authenticated copy of this order and follow up action shall be taken by the authority for expeditious disposal of

the R.C.No.190 of 2016 fixing a firm date after the matter becomes ready for hearing, if there is no other legal impediment for disposal of the case.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order

available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide

Court's Notice No.4587 dated 25th March, 2020 as modified by Court's Notice No.4798 dated 15th April, 2021.