
(2023) 02 OHC CK 0086
In the Orissa High Court
Case No : Writ Petition (C) No.1951 Of 2023

Rajan Kumar Sahu And Others	Vs	APPELLANT
State Of Odisha And Others		RESPONDENT

Date of Decision : 13-02-2023

Acts Referred:

Citation : (2023) 02 OHC CK 0086

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

Bench : Division Bench

Advocate : S. K. Mohanty, A. K. Sharma, A. K. Nath

Final Decision : Disposed Of

Judgement

W.P.(C) No.1951 of 2023 and I.A. No.948 of 2023

1. Petitioners claim to be interested in the deity. There was application made for permission to sell part of the deity's land. By judgment dated 22nd November, 2017, the Commissioner rejected the application, to not grant permission. The judgment was carried in appeal before the appellate authority. Prayer in the writ petition is to quash order dated 4th September, 2019 of the appellate authority, whereby value of property to be sold was marked at 10% above the benchmark value with direction for it to first be offered to the State Government, for purchase.

2. Mr. Mohanty, learned advocate appears on behalf of petitioners. He had earlier moved the writ petition on 2nd February, 2023. We reproduce below paragraph 3 from our order dated 2nd February, 2023.

"3. Without prejudice to contention of maintainability raised by State, it is directed to issue instructions regarding status of the land, whether already purchased by the Government on the valuation fixed by the Hon'ble Minister?"

3. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State. He submits, his instructions are State is not interested to

purchase the land. He submits further, two consequential prayers made by petitioners should be seen by Court. Petitioners' grievance would affect opposite party no.8, who has not been noticed.

4. Mr. Nath, learned advocate appears on behalf of the Commissioner.

5. Issue notice along with this order on opposite party no.8, by registered/speed post with A.D. Petitioners will put in requisites.

6. List on 6th March, 2023.

7. There will be stay of operation of impugned order till next date of hearing.

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