
(2022) 11 OHC CK 0153
In the Orissa High Court
Case No : Writ Petition (C) No.4481 Of 2018

Shrebatsa Mishra

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 18-11-2022

Acts Referred:

Citation : (2022) 11 OHC CK 0153

Hon'ble Judges : Arindam Sinha, J;Gourishankar Satapathy, J

Bench : Division Bench

Advocate : Soubhagya S. Das, Y.S.P. Babu

Final Decision : Disposed Of

Judgement

1. Mr. Das, learned advocate appears on behalf of petitioner and submits, impugned is communication dated 15th October, 2015, whereby the administration informed his client that the government had been pleased to decide, due to non-availability of land, monetary grant in lieu of land will be given to landless Jawans and landless ex-service men, who have served in the forward areas during 26th October, 1962 to 31st January, 1964. He submits, his client served at the front in the period.

2. He draws attention to order dated 18th September, 2012 made by coordinate Bench in his client's earlier writ petition WP(C) no.3422 of 2006.

3. Mr. Babu, learned advocate, Additional Government Advocate appears on behalf of State and prays for adjournment to obtain instructions. Mr. Das points out, counter has been filed. He draws attention to paragraph 8 in the counter and demonstrates that the land was not given due to lack of identification and not lack of availability.

4. We have perused aforesaid order dated 18th September, 2012. Few paragraphs from said order are extracted and reproduced below.

" xx xx xx Now Mr. Behera submits that the Tahasildar, Jatani, is taking steps for

allotment of another land available within Jatani Tahasil in favour of the petitioner.

Considering the said submissions, we direct that the entire process of allotment of land in favour of the petitioner shall be completed within a period of three months from today. Personal appearance of Mr. Behera is dispensed with.

The writ petition is disposed of accordingly xx

xx xx".

5. The administration through the Tahasildar, Jatani had submitted steps were being taken for allotment of another land available within Jatani Tahasil, in favour of petitioner. Thus there was direction for the entire process of allotment of land in favour of petitioner to be completed. The order has become final. State does not have room to maneuver.

6. List on 28th November 2022.

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