

(2022) 08 OHC CK 0177
In the Orissa High Court
Case No : RSA No.107 Of 2021

State Of Orissa And Another

APPELLANT

Vs

Smt. Baijayanti Rath And Others

RESPONDENT

Date of Decision : 25-08-2022

Acts Referred:

Citation : (2022) 08 OHC CK 0177

Hon'ble Judges : B. P. Routray, J

Bench : Single Bench

Advocate : B. Panigrahi, B. Bhuyan, P.K. Mohanty 2, S. Samal

Final Decision : Disposed Of

Judgement

B. P. Routray, J

I.A. No.547 of 2021

1. Heard Mr. B. Panigrahi, learned Additional Standing Counsel for the State-Appellant, Mr. B. Bhuyan, learned counsel for the Respondent No.1, Mr. P.K. Mohanty-2, learned counsel for the Respondent Nos.2 to 25 and Mr. S. Samal, learned counsel for the Respondent Nos.26 to 35.

2. Upon hearing all the parties and considering the grounds mentioned in the petition as well as the direction of the Hon'ble Supreme Court in Suo Motu Writ Petition (Civil) No.3/2020, the delay in filing the appeal is condoned subject to payment of cost of Rs.1,000/- (rupees one thousand) to the High Court Bar Association.

3. The I.A. is disposed of.

RSA No.107 of 2021

4. Heard Mr. B. Panigrahi, learned Additional Standing Counsel for the State-Appellant, Mr. B. Bhuyan, learned counsel for the Respondent No.1, Mr. P.K. Mohanty-2, learned counsel for the Respondent Nos.2 to 25 and Mr. S. Samal,

learned counsel for the Respondent Nos.26 to 35.

5. The appeal is admitted on the following substantial question of law.

“Whether Krushna Chandra Mohanty continued in possession of the suit land by virtue of the valid lease deed under Ext.2 ?”

6. Since all the parties have entered appearance, no formal notice is required to be issued. Copies of the appeal memo along with all connected documents be served on each of the counsels for the respective parties.

7. List this matter on 28th November, 2022.

8. Copy of the LCR in C.S.(I) No.188 of 1996 from the court of learned 2nd Addl. Civil Judge (Sr. Divn.), Cuttack be called for.

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