

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2428 of 2023

(Through Hybrid mode)

***Dr. Bibhukesh Panigrahi and
others***

....

Petitioners

Mr. Jagannath Bhuyan, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. A. K. Sharma, AGA

CORAM:

JUSTICE ARINDAM SINHA

JUSTICE SANJAY KUMAR MISHRA

ORDER

02.02.2023

W.P.(C) No.2428 of 2023 and I.A. No.1140 of 2023

Order No.

01.

1. Mr. Bhuyan, learned advocate appears on behalf of petitioners and submits, his clients are subsequent purchasers of the deity's land. First purchaser had filed case under Odisha Estate Abolition Act, 1951 (OEA Case nos.01 and 02 of 1983). In those cases ultimately there were orders dated 30th July, 1985 and 16th July, 1983 respectively, wherein suit land stood settled with petitioners' vendor under rayati status. By impugned decision dated 7th September, 2021 in respect of, inter alia, the plots under OEA Case nos.01 and 02 of 1983, were included as standing recorded in Government Khata. His client was not noticed. There be

interference.

2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State. He submits, impugned decision was made on confirming original order dated 19th June, 2015 made by the OEA Collector. That order has not been disclosed.

3. State is to demonstrate from impugned decision that aforesaid order dated 30th July, 1985 and 16th July, 1983 respectively made in OEA Case nos.01 and 02 of 1983 were noticed as having been interfered with earlier, as set aside thereby.

4. Counter be filed by 20th February, 2023 as prayed for. Petitioners may file their rejoinder, to be accepted on adjourned date upon advance copy served.

5. List on 27th February, 2023 along with W.P.(C) no.8349 of 2022.

6. Status quo be maintained in respect of subject plots till next date of hearing.

(Arindam Sinha)
Judge

(S. K. Mishra)
Judge

Prasant