



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No.13621 of 2026

Sabitri Murmu

...

Petitioner

Mr. P. C. Acharya, Advocate

-versus-

***Sub-collector, Baripada
cum Chaiman RMC,
Betnoti***

Opposite Party

CORAM: JUSTICE V. NARASINGH
ORDER

05.05.2026

Order No.

- 01.** 1. Heard learned counsel for the Petitioner and learned counsel for the Opposite Party.
2. The writ petition is being preferred by the Petitioner in his representative capacity as a Sarpanch being authorized by the resolution of the Gram Panchayat dated 23.07.2025. The grievance of the Petitioner primarily relates to "collection of fees, tolls from the agriculture produces from the semi-weekly (Twice a week) "Dahibadi Hat" situated under Baisinga Gram Panchayat, Mayurbhanj" which is now being collected by RMC.
3. Referring to the operation of law in terms of the provisions of the Gram Panchayat Act enumerated in Section 58(5)(c) of Gram Panchayat Act, 1964. The Petitioner submits that the inaction on the part of the RMC merits consideration of this Court.



4. Learned counsel for the State opposes such prayer referring to the very provisions, inter alia, on the ground that there is nothing on record to indicate that an order in terms of the said Section 58(5)(c) of Gram Panchayat Act, 1964 has been passed and the absence thereof questions the maintainability of petition.

5. It is brought to the notice of this Court that representation has been preferred by the Petitioner in his capacity as a Sarpanch on 09.03.2026 and the same is pending consideration to the Sub-Collector-Opposite Party who is also Chairman of RMC.

6. Considering the rival submissions, this Court is persuaded to hold that the interest of justice would be subserved, if the Opposite Party (Sub-collector, Baripada-cum-Chaiman RMC, Betnoti) is called upon to take a decision on the representation within a period of four weeks from the date of receipt of this order along with the writ petition.

7. It is needless to state that the Opposite Party (Sub-collector, Baripada-cum-Chaiman RMC, Betnoti) shall consider the representation of the Petitioner in accordance with law. If necessary, by giving an Opportunity of hearing to the Petitioner, who is an elected representative.

8. Accordingly, the writ petition along with I.As. stand disposed of.

(V. NARASINGH)
Judge

Signature Not Verified

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