



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.31846 of 2024

Latifa Khatun

.... Petitioner

Mr. C. Nayak, Advocate

-Versus-

State of Odisha and others

.... Opposite Parties

Mrs. U. Padhi, ASC

Mr. J.K. Mishra, Sr. Advocate
(For opposite party No.5)

CORAM:
MR. JUSTICE R.K. PATTANAİK

ORDER
28.02.2025
I.A.No.3379 of 2025

Order
No.
04.

1. Heard Mr. Mishra, learned Senior Advocate appearing for the petitioner, namely, intervenor in W.P.(C) No.31846 of 2024.
2. Instant petition is filed for recalling of the order dated 20th February, 2025 passed in I.A. Nos.1809 & 1810 of 2025 dismissed for non-prosecution.
3. Considering the submission of Mr. Mishra, learned Senior Advocate and for the interest of justice, this Court is inclined to restore the I.As. for hearing and disposal of the same on merit.
4. The I.A. is accordingly disposed of.

(R.K. Pattanaik)
Judge



I.A.Nos.1809 & 1810 of 2025

- 05.
1. Heard Mr. Nayak, learned counsel for the petitioner and Mr. Mishra, learned Senior Advocate for opposite party No.5.
 2. In view of the order passed in I.A. No.3379 of 2025, the I.As. stand restored to file.
 3. Mr. Nayak, learned counsel for the petitioner submits that this Court's order dated 20th December, 2024 has already been given effect to with the demarcation held on 25th February, 2025 with the knowledge of opposite party No.5, who requested for ten days' time to respond, whereafter, the date was fixed and the demarcation was held.
 4. Mr. Mishra, learned Senior Advocate for opposite party No.5, on the other hand, claims that such demarcation has not taken place in presence of opposite party No.5. It is further submitted that in view of the status quo order in I.A. No.163 of 2022 arising out of C.S. No.303 of 2022, the concerned Tahasildar was to follow the S.O.P.
 5. In order to ascertain, whether, such demarcation has taken place with due notice or in presence of opposite party No.5, Mrs. Padhi, learned ASC for the State is directed to obtain a report from the learned Tahasildar for perusal of the Court on next date.
 6. Referring to a decision of the Apex Court in **Jajpur Vidyut Vitran Nigam Ltd. & others Vrs. Adani Power Rajasthan Ltd. & another** reported in **2024 SCC Online SC 313**, Mr. Nayak, learned counsel for the petitioner submits that such I.A. to recall the Court's



order dated 20th February, 2025 is not maintainable, to which Mr. Mishra, learned Senior Advocate for opposite party No.5 is to respond on the next date.

7. List this matter on 13th March, 2025 for orders.
8. Issue urgent certified copy of the order as per rules.
9. A free copy of this order be supplied to Mrs. Padhi, learned ASC for early compliance.

(R.K. Pattanaik)
Judge

M.K. Rout

Signature Not Verified

Digitally Signed
Signed by: MANOJ KUMAR ROUT
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 03-Mar-2025 19:10:16

