



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.384 of 2025

Sumani Anandita

....

Petitioner

*Mr. J. Dash,
Advocate*

-versus-

***Additional Commissioner, ... Opposite Parties
Additional Revisional Court
No.II, Bhubaneswar &
others***

*Mr. Sachidananda Nayak,
Additional Standing Counsel
None
(for Opposite Party Nos.7 to 10)*

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

30.04.2025

**Order No.
03.**

This matter is taken up through hybrid mode.

2. In view of the office note, notice on Opposite Party No.10 is held to be sufficient.

3. Heard Mr. Dash, learned Counsel for the Petitioner so also Mr. Nayak, learned Additional Standing Counsel for the State-Opposite Party Nos.1 to 6. The private Opposite Party Nos.7 to 10 go unrepresented despite due service of notices on them.

4. In view of the specific allegation made in para-4 of the writ petition, on consent of learned Counsel for the parties, the matter is taken up for hearing and disposal at the stage of admission.



5. The Petitioner has challenged the order dated 27.03.2024 passed in R.P. Case No.486 of 2014 solely on the ground that the said R.P. case was dismissed alleging laches on the part of the Petitioner so also without affording sufficient opportunity and without considering the case of the Petitioner on merit.

6. As is revealed from the impugned order dated 27.03.2024, the Additional Commissioner, Additional Revisional Court No.II, Bhubaneswar dismissed the R.P. Case No.486 of 2014 on the ground that despite sufficient opportunity, the Petitioner failed to file the copy of orders passed in Rent Case No.11384 of 2013 or in Appeal Case No.829 of 2013. Accordingly, R.P. Case No.486 of 2014 stood rejected.

7. Learned Counsel for the Petitioner submits, copies of the order passed in Rent Case No.11384 of 2013 and in the Appeal Case No.829 of 2013, though were not available on the date of dismissal of the R.P. Case, now are available with the Petitioner, which have been annexed to the writ petition as Annexure-3. The Petitioner be given liberty to produce the same so also other documents, if any, which he intends to file before the Additional Commissioner, Additional Revisional Court No.II, Bhubaneswar.

8. In view of the averments made in the writ petition so also the submission made by the learned counsel for the Petitioner, the impugned order dated 27.03.2024 passed in R.P. No.486 of 2014, as at Annexure-2, is hereby set aside. The matter is remitted back to the Additional Commissioner, Additional Revisional Court No.II, Bhubaneswar (Opposite Party No.1) for hearing of R.P.



No.486 of 2014 on merit giving due opportunity to the Petitioner to file the copy of the orders passed in Rent Case No.11384 of 2013 and in the Appeal Case No.829 of 2013 and other documents, which the Petitioner intends to file, so also opportunity to the private Opposite Party Nos.7 to 10. Thereafter, the Additional Commissioner, Additional Revisional Court No.II, Bhubaneswar (Opposite Party No.1) shall do well to proceed further in accordance with law and conclude the said proceeding at the earliest preferably, within period of six months from the date of production of the certified copy of this order.

9. With the aforesaid observation and direction, the writ petition stands allowed and disposed of.

10. Urgent certified copy of this order be granted on proper application.

Prasant

(S. K. MISHRA)
JUDGE

Signature Not Verified

Digitally Signed
Signed by: PRASANT KUMAR PRADHAN
Designation: Secretary
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 01-May-2025 15:17:31

