

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.3802 OF 2010

SILLA SATYABADI PATRA (DEAD) THR. LRS. APPELLANT(S)

VERSUS

MANORAMA PANDA & ANR. RESPONDENT(S)

O R D E R

We have heard learned counsel appearing for the parties and perused the record.

The dispute in the instant appeal revolves around Plot No.30A, Bapuji Nagar, P.S. Capital, Bhubaneswar, Orissa.

According to the appellant (since dead), the aforesaid plot no.30A along with Plot No.30, was sold to him by the defendants. He therefore filed an original suit for declaration of title, injunction and eviction against the defendants. In that suit, it has been held throughout that the ownership of Plot No.30A is still with the Government of Orissa. That plot not having been allotted to anybody including the defendants, the defendants could not have purported to sell the said plot to the plaintiff. The net result is that the ownership of Plot No.30A, appears to be at large.

We must make it clear that we do not find any ground to interfere with the findings of the High Court given in the impugned order. Hence this appeal is dismissed.

However, we are informed by Mr. Debasis Misra, learned counsel for the appellants that his clients have already made an application to the State of Orissa for allotment of aforesaid Plot No.30A. But we find no such application is placed on record.

However, in the interest of justices, we consider it appropriate to direct the State of Orissa to consider the application, if any, filed by the appellants, for allotment of aforesaid Plot No.30A in accordance with law and take an appropriate decision within one year from the date on which a copy of this order is produced before the State of Orissa.

Order accordingly.

.....J  
[S. A. BOBDE]

.....J  
[L. NAGESWARA RAO]

NEW DELHI;  
NOVEMBER 01, 2018.

ITEM NO.104

COURT NO.5

SECTION XI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).3802/2010

SILLA SATYABADI PATRA (DEAD) THR.LRS.

Appellant(s)

VERSUS

MANORAMA PANDA &amp; ANR.

Respondent(s)

Date : 01-11-2018 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE  
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Appellant(s) Mr. Debasis Misra, AOR

For Respondent(s) Mr. Swetaketu Mishra, Adv.  
Mr. Shibashish Misra, Adv.  
For Mr. V. K. Monga, AORUPON hearing the counsel the Court made the following  
O R D E R

The appeal is dismissed in terms of the signed order.

As a sequel to the above, pending interlocutory applications,  
if any, stand disposed of.(SANJAY KUMAR-II)  
COURT MASTER (SH)(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR

(Signed Order is placed on the file)