

**IN THE COURT OF REVENUE DIVISIONAL COMMISSIONER,
SOUTHERN DIVISION, ODISHA, BERHAMPUR**

Regulation Appeal Case No.2/2020

(Order by Sri T. Ao, I.A.S,

Revenue Divisional Commissioner, (SD), Berhampur)

Decided on 03-06-2020

Baleswar Kanhar

S/o- Udhab Kanhar

Vill-Garadapaju

Po/Ps-Khajuripada

Dist: Kandhamal

.....Petitioner

-Versus-

1. The C.D.V.O, Phulbani

Veterinary and Animal Husbandry Department

At/Po/Ps- Phulbani

..... Opposite Party

For the petitioner

.....Sri S.K. Pattnaik, Advocate

For the OPs

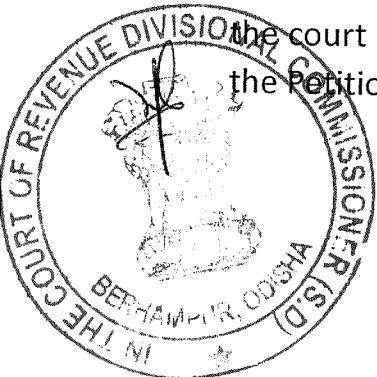
.....None

Prayer

This appeal Petition is filed U/S-3-A of Orissa Scheduled Area Transfer of Immovable Property (By scheduled Tribes) Regulations, 1956 to issue direction to Sub- Collector, Kandhamal for quick disposal of case filed in his court by the petitioner U/S-3-A of OSATIP (Scheduled Tribes) Regulation, 1956.

Contention:-

The suit land of area of Hc. 0.399R of Plot No. 398 of Hal Khata No. 120 belongs to the petitioner who belongs to ST community. But suit land is under unauthorised possession of Chief district Veterinary Officer (CDVO), Phulbani. Against the said illegal possession, the Petitioner has filed a case in the court of Sub-Collector, Kandhamal for restoration of the land in favour of the Petitioner.



Documents enclosed :-

- Copy of ROR No. 120 published on 08.10.2014
- Copy of rent receipt of Khata No. 120 for the year, 2018-19
- Copy of order sheet of demarcation case No. 89/2018
- Copy of Caste Certificate dtd. 08.06.2017 issued by Tahasildar, Khajuripada in favour of petitioner Baleswar Kanhar.
- Copy of Aadhaar card No. 273576352495 of Baleswar Kanhar, S/o-Udhab Kanhar
- Copy of Voter ID No. MDG 1660190 of Baleswar Kanhar

Land schedule

Mouza	Sabik Khata No.	Sabik plot No.	Hal Khata No.	Hal Plot No.	Area	Kissam
Dadpaju	Not available	Not available	120	398	Hc. 0.399R	Padar

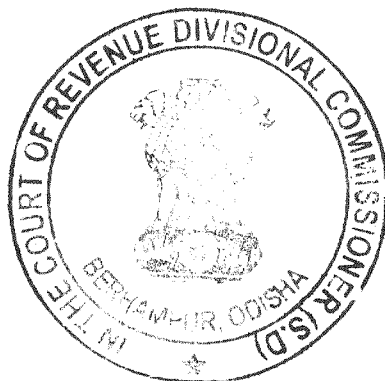
ORDER

This case was taken up for hearing on point of admission on 13.01.2020. The Advocate for the Petitioner was present and stood on the contention of revision petition.

As per own submission of petitioner, there seems to be a case filed by the petitioner U/S 3 (A) of OSATIP Regulation ~~is~~ pending in the court of Sub-Collector, Kandhamal.

As per OSATIP regulation, although there is no specific provision for passing of instruction for early disposal of pending cases in lower courts, however in the interest of justice, Sub-Collector, Kandhamal may expeditiously dispose of the matter without any delay.

This appeal case is disposed off accordingly.




Revenue Divisional Commissioner,
Southern Division, Berhampur