

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

OPLC Case No. 4/17

(Order by Sri T. Ao, I.A.S,  
Revenue Divisional commissioner, (SD), Berhampur)  
Decided on 01.12.2018

Lakoju Krishna Rao Achari  
S/o-late Lakaju Sundarama Achary  
Vill/PO- Borigumma  
PS- Serango  
Dist- Gajapati .....Petitioner

-Vrs

State of Odisha others .....Respondent

For the Petitioners .....D.P. Achary, Advocate

For the Respondents .....None

Prayer

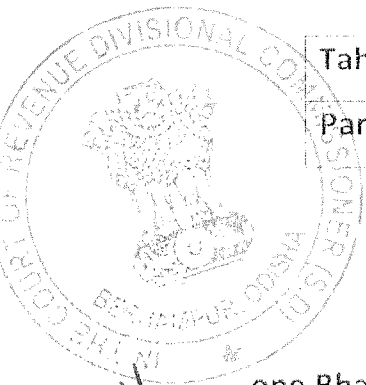
Appeal Petition filed U/s-12 (1) (3) of the Orissa Prevention of Land Encroachment Act, 1972 filed by the above named petitioner against the order dtd. 27.01.2016 of Sub-Collector, Parlakhemundi, Dist- Gajapati in LE Appeal No. 1/2015.

Land Schedule

Tahasil	Mouza	Khata No	Survey No	Area
Parlakhemundi	Gumma	390	486	Ac.0.193dc

Submission

The suit land was purchased by the petitioner in the year, 1985 from one Bhanumati Mohanty vide RSD No. 33/85 and thereafter the petitioner is in possession of the suit land. In V.O.A Case No. 130/1983, the land was taken to

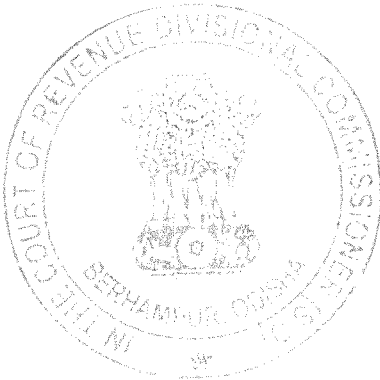


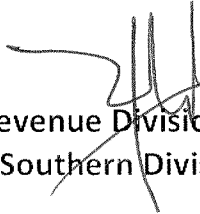
Govt. Khata and OPLE Case No. 277/2015 was initiated against the petitioner and was adjudged against him. The petitioner thereafter filed appeal before the Sub-Collector, Parlakhemundi vide L.E. Appeal No. 1/2015. The said case was rejected by the Sub-Collector, Parlakhemundi. Hence the petitioner preferred this appeal.

### ORDER

This case was taken up for hearing on point of admission on 01.12.2018. During deliberation, the advocate for the petitioner stood on the contention of the revision petition and prayed to set aside the order of the Sub-Collector, Parlakhemundi passed in OPLE Appeal Case No. 1/2015. In section 12 of OPLE Act, 1972, the appellate hierarchy has been clearly specified. As per Provision of Section 12 (2) of the said Act, the Collector, Gajapati is the next appellate Authority against any order passed by Sub-Collector, Parlakhemundi under the Act. As such the appeal is dropped at the admission stage with direction to the Petitioner to approach the proper appellate forum as per the provision of the Act.

This petition is disposed off accordingly



  
Revenue Divisional Commissioner,  
Southern Division, Berhampur