

**Hearing of Petition of Sri Surendra Panigrahi as per order dt.13.05.2019 of
Hon'ble High Court of Orissa passed in WP (C) No. 12593/2015.**

This case was taken up for hearing by this Authority pursuant to order dt.13.05.2019 of Hon'ble High Court of Orissa passed in WP (C) No.12593/2015 filed by Sri Surendra Panigrahi.

In this case petitioner Sri Surendra Panigrahi claimed that Plot No. 867 of Khata No.516 of Lochapada Mouza covering area of Ac.2.205 was recorded in favour of Works Department in Nayanjori kissam in the ROR published in the year,1976. Tahasildar, Berhampur wrongly recorded area of Ac.0.300 out of total area of Ac.2.205 of Plot No.867 of Lochapada Mouza in the name of Renubala Sahu in Plot No.867/3048 of Khata No.495/390 vide MC No.89/87. Subsequently, the same land was recorded in the name of Rabindra Patra vide MC No.1003/93. Thus the petitioner prays for issue of direction to Tahasildar, Kukudakhandi for cancellation of the Patta issued in favour of Renubala Sahu & Rabindra Kumar Patra.

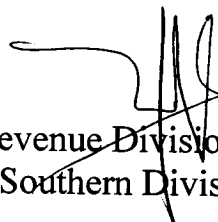
The case was heard on 4.11.2020, 9.11.2020 , 24.11.2020 and 8.7.2021. During the course of hearing, Subasini Patra, W/o- Rabindra Kumar Patra intimated that Smt. Surabhi Kumari Devi, W/o- Surendranath Panigrahy (Petitioner) filed a suit bearing C.S. No.148/2012 before the learned 2nd Additional Senior Civil Judge, Berhampur claiming right over the suit land. Subasini Patra filed CMP No.246/2020 before Hon'ble High Court of Orissa on 2.3.2020 praying for grant of stay on the outcome of C.S. No.148/2012 of the court of the Civil Judge (Senior Division), Berhampur. On 1.7.2020, Hon'ble High Court of Orissa granted stay on further proceedings in CS No. 148/2012 pending in the Court of learned 2nd Additional Senior Civil Judge, Berhampur till the next date.

Further, the Hon'ble High Court of Orissa passed order on 25.06.2021 in IA No.261 of 2020 arising out of CMP No.246 of 2020, wherein Hon'ble Court ordered that "till the next date, further proceeding in CS case No.148 of 2012 pending in the Court of learned 2nd Additional Senior Civil Judge, Berhampur shall remain stayed." Hon'ble High Court of Orissa also passed order for continuance of interim order passed earlier for another period of six months with direction to put up the CMP for final disposal.

It is seen that CS No.148/2012 and CMP No.246/2020 have been filed on suit plot No.867/3048 in the Court of 2nd Additional Senior Civil Judge, Berhampur and Hon'ble High Court respectively and the cases are still sub-judice.

As CS No.148/2012 of the Court of Additional Senior Civil Judge, Berhampur & CMP No. 246/2020 of Hon'ble High Court of Orissa on the suit plot are sub-judice in respective courts, this Authority cannot proceed further in this case until the same are disposed by the Hon'ble High Court.

The parties may inform this Authority about subsequent orders passed thereon. Until then, this case on Plot No.867 of Khata No.516 of Lochapada Mouza at this level is put on hold.


Revenue Divisional Commissioner,
Southern Division, Berhampur.