

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.23174 of 2022
(Through Hybrid mode)

Niharika Paltasingh

....

Petitioner

Mr. Satyabrata Mohanty, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. A. K. Sharma, AGA

Ms. P. Naidu, Advocate
for O.Ps.2 and 3

CORAM:

**JUSTICE ARINDAM SINHA
JUSTICE SANJAY KUMAR MISHRA**

ORDER
09.11.2022

सत्यमेव जयते

Order No.

05. 1. Mr. Mohanty, learned advocate appears on behalf of petitioner and submits, his client is tenant in respect of a shop. His client had entered into a partnership for running the shop. By impugned order dated 16th July, 2020, the Assistant Commissioner directed lease deed to be executed in favour of his partner, to his exclusion. This could not be done.
2. He draws attention to communication dated 3rd February, 2020 made by executing officer of the Samiti to the Assistant

Commissioner enclosing, inter alia, joint application of his client and the partner for tenancy agreement in respect of the shop. That was not dealt with. Instead, impugned order.

3. Ms. Naidu, learned advocate, appears on behalf of opposite party nos.2 and 3. She prays for adjournment to obtain instructions. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State.

4. Issue notice along with this order on opposite party nos.4 and 5 by registered/speed post with A.D. Petitioner will put in requisites.

5. Opposite party nos.2 and 3 and State are to obtain instructions in the meantime for this writ petition to be dealt with on adjourned date or thereafter.

6. List on 30th November, 2022. The interim application will be considered on adjourned date.

(Arindam Sinha)
Judge

(S. K. Mishra)
Judge