



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 6069 OF 2016**

***Laxmipriya Mishra***

....

***Petitioner***

Mr. Dayananda Mohapatra, Senior Advocate  
being assisted by Mr. Amit Kumar Parida, Advocate

*-versus-*

***State of Odisha and others***

....

***Opp. Parties***

Mr. Siba Narayan Biswal,  
Additional Standing Counsel

**CORAM:**

**JUSTICE K.R. MOHAPATRA**

**JUSTICE SANJAY KUMAR MISHRA**

**ORDER**

**08.07.2026**

**Order No.**

- 16.
1. This matter is taken up through hybrid mode.
  2. Pursuant to the order dated 22<sup>nd</sup> April, 2026, the Collector, Puri-Opposite Party No.2 has filed compliance affidavit on 18<sup>th</sup> May, 2026. Copy of the said affidavit has already been served on learned counsel for the Petitioner.
  3. Mr. Mohapatra, learned Senior Advocate appearing for the Petitioner submits that the Petitioner is an old widow and is facing a lot of difficulties due to prolonged litigation, more particularly, in O.E.A. Case No.658 of 1987. It was reported by the Tahasildar, Puri that the said case could not be traced in his office. However, at Paragraph-6 of the affidavit filed by the Collector, Puri, it is stated that the case record of O.E.A. Case No.658 of 1987 has been duly reconstituted pursuant to the direction of this Court.
  4. The Petitioner has filed this writ petition with a prayer to direct the Collector, Puri-Opposite Party No.2 for settlement of the land in question and issuance of Record of Right (RoR) as per the



direction of the OEA Collector, Puri as well as to collect the arrear rent from her.

5. Mr. Mohapatra, learned Senior Advocate appearing for the Petitioner submits that due to pendency of O.E.A. Case No.658 of 1987, rent is not being accepted from the Petitioner and the RoR remains in the name of the intermediary during consolidation proceeding. On perusal of Paragraph-6 of the compliance affidavit filed by the Collector, Puri pursuant to the direction of this Court dated 22<sup>nd</sup> April, 2026, it reveals as under:

*“6. That it is humbly submitted that, the Tahasildar, Puri has intimated vide Letter No.6774 dtd. 15.05.2026 stating therein that in due compliance with the directions of the Hon’ble High Court of Orissa passed in W.P.(C) No.6069 of 2016, exhaustive efforts were undertaken to trace out the original records of O.E.A. Case No.658 of 1987. However, despite diligent search conducted, the said case record remained untraceable. Consequently, as per direction of Hon’ble High Court, steps have been initiated by him for reconstitution of the missing case record with the cooperation of the petitioner. The Tahasildar, Puri further submitted that the land schedule referred to in the writ petition pertains to the pre-consolidation (Sabik) Record-of-Rights, which ceased to have operative relevance upon completion of consolidation proceedings and final publication of the ROR on 20.04.2005, where under the subject land now corresponds to the Hal Khata No.1123, Plot No.1953. Since O.E.A. Case No.658 of 1987 remained pending and undisposed of prior to consolidation, the status of the land continued to be reflected as “Bebandobasta” in the finally published Hal ROR, necessitating initiation of Bebandobasta Case No.1100/2016 suo-motu by the Tahasildar in terms of Government Notification No.905/R & DM dated 11.01.2016. Invoking Rule 32 of the Orissa Survey & Settlement Rules, 1962 read with Sections 22(2) and 22(4) of the Orissa Consolidation of Holdings and Prevention of Fragmentation of Land Act, 1972, the Tahasildar has clarified that this statutory jurisdiction extends only for maintenance and updation of finally published RORs and does not encompass*



*rectification or modification of Sabik records. Accordingly, it has been submitted that although O.E.A. Case No.658 of 1987 has been duly reconstituted pursuant to the order of the Hon'ble High Court, effective adjudication and disposal of the matter would be legally tenable only upon clubbing the said proceeding with Bebandobasta Case No.1100/2016 relating to the corresponding Hal land schedule. Copy of Letter No.6774 dt. 15.05.2026 is annexed here with as Annexure-C/2."*

6. Mr. Biswal, learned Additional Standing Counsel, therefore, submits that since subsequent consolidation proceeding has already been completed and RoR under Section 22(2) of the Odisha Consolidation of Holdings and Prevention of Fragmentation of Land Act, 1972 has already been published, recording the land in question in 'Bebandobasta' status, Bebandobasta Case No.1100 of 2016 has been initiated for settlement of land. Thus, he submits that interest of justice will be best served, if O.E.A. Case No.658 of 1987 is heard along with Bebandobasta Case No.1100 of 2016 providing opportunity of hearing to the parties.

7. Mr. Mohapatra, learned Senior Advocate appearing for the Petitioner does not have any objection to such submission. He, however, submits that an early decision made be taken in the matter keeping in mind the age and health condition of the Petitioner.

8. In view of the above, this Court without expressing any opinion on the merits and contentions raised by learned counsel for the parties, disposes of the writ petition with a direction to the Tahasildar & O.E.A. Collector, Puri-Opposite Party No.3 to consider and dispose of O.E.A. Case No.658 of 1987 and



Bebandobasta Case No.1100 of 2016, giving opportunity of hearing to the parties concerned including the Petitioner to be heard in both the cases. Steps shall be taken by Opposite Party No.3 for early disposal of the matter, preferably within a period of six months from the date of production of certified copy of this order.

9. In order to avoid delay in the service of notice to the Petitioner, it is directed that the Petitioner shall appear before the Tahasildar & O.E.A. Collector, Puri-Opposite Party No.3 either in persons or through her authorized agent/counsel, on 3<sup>rd</sup> August, 2026 along with a certified copy of this order to receive further instruction in the matter. The parties are also at liberty to place materials before the Tahasildar & O.E.A. Collector, Puri-Opposite Party No.3 in support of their respective cases, which shall be taken into consideration in accordance with law.

10. Interim order dated 9<sup>th</sup> May, 2018 passed in I.A. No.6070 of 2018 shall continue till disposal of O.E.A. Case No. 658 of 1987.

Urgent certified copy of this order be granted on proper application.

***(K.R. Mohapatra)***  
***Judge***

***(S.K. Mishra)***  
***Judge***

*ms*