



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.36127 of 2025

CNR No. ODHC010742212025

Nityananda Dash

.....

Petitioner

Represented by Adv. - Gopal
Charan Mohanty

-versus-

**The Tahasildar, Salepur,
Cuttack**

.....

Opposite Parties

Represented by Adv. -
Abinash Routray, O.P. No.2

Mr. D. Lenka, AGA

CORAM:

MR. JUSTICE SASHIKANTA MISHRA

ORDER

10.09.2026

Order No.

06

1. This matter is taken up through hybrid mode.
2. Heard learned Counsel for the petitioner; learned Addl. Government Advocate for the State and learned counsel for opposite party No.2.
3. The petitioner is aggrieved by order dated 11.07.2025 passed by Addl. Commissioner, Settlement and Consolidation, Board of Revenue, Odisha, Cuttack in Revision Case No. 152/2025. The grievance of the petitioners relates to insertion of the names of present opposite party Nos. 2 and 3 in the ROR published in respect of Hal Khata No.34, Plot No. 442 of Mouza- Ganeswarpur under Salepur Tahasil of Cuttack district. According to the petitioners, the property was originally recorded in the name of Kunja Bihari Panda, who died in the year 2001. Though Kunja Bihari Panda was succeeded by opposite party Nos. 2 and 3, yet he having been



adopted to the family of Bholanath Panda, he lost all right over the property of his natural father.

4. Perusal of the impugned order reveals that the Revisional Court did not find any material supporting the claim of the petitioners for deletion of the names of opposite party Nos. 2 and 3. Therefore, holding that they being the legal heirs of the deceased recorded tenant, Kunja Bihari Panda as per the legal heir certificate issued by the Tahasildar, Salepur, the Revisional Court was not inclined to entertain the revision. Accordingly, it was dismissed. Even before this Court no material has been placed to unequivocally support the stand taken that Kunja Bihari Panda was adopted by another family. Be that as it may, dispute relating to relationship being raised, the same could not have been decided conclusively by the Revisional Court. It is always open to the petitioners to approach the competent Civil Court for appropriate declaration. This Court finds no reason to interfere with the impugned order. The writ application is therefore, dismissed.

5. Learned counsel for the petitioners submits that because of wrong advice, the petitioners, instead of challenging the order passed by the Mutation Authority in appeal, wrongly preferred revision under Section 37 of the OCH & PFL Act. Such being the submission, it is open to the petitioners to prefer appeal against the order passed by the Mutation Authority by seeking condonation of delay.

(Sashikanta Mishra)
Judge

Signature Not Verified

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Signed by: AJAYA KUMAR RANA
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Date: 11-Sep-2026 17:34:47