

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.605 of 2022

Lokman Khan

....

Petitioner

*Mr. T. Panigrahi,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. S.K. Samal,
Additional Government Advocate*

**CORAM:
JUSTICE BISWAJIT MOHANTY**

**ORDER
09.02.2022**

Order No.

- 01.
1. This matter is taken up through video conferencing mode.
 2. Heard Mr. T. Panigrahi, learned counsel for the petitioner and Mr. S.K. Samal, learned Additional Government Advocate.
 3. At the outset, on oral prayer, Mr. Panigrahi is permitted to implead the Sub-Collector, Jajpur as opposite party No.10 to this writ petition. Office is directed to make consequential corrections to the cause title.
 4. According to Mr. Panigrahi, the petitioner is aggrieved by the order passed by the Tahasildar, Darpan (opposite party No.3) in rejecting his prayer for issuance of Legal Heir Certificate.
 5. Mr. Samal relying on Rule-10 of Odisha Miscellaneous Certificate Rules, 2019 submits that the impugned order is an appealable one and the appeal lies before the Sub-Collector, Jajpur. In such background, Mr. Panigrahi submits that liberty may be granted to the petitioner to file an appeal before the Sub-Collector, Jajpur (opposite party No.2) and the said

opposite party be directed to take a decision on the same within a specific time period.

6. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to file an appeal before the opposite party No.10 along with an application for condonation of delay. In the event such an appeal is filed along with the application for condonation of delay, the opposite party No.10 is directed to expeditiously dispose of the appeal in accordance with law after taking liberal view on the petition for condonation of delay.

7. Accordingly, this writ petition is disposed of.

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



(Biswajit Mohanty)
Judge