

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 2079 OF 2022

Shankar Prasad Mania

....

Petitioner

Mr. Sarada Prasad Dash,
Advocate

-versus-

Collector, Jagatsinghpur and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER

16.03.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Opposite Parties to mutate the land in question as per the Registered Sale Deed under Annexure-1 within a stipulated time.
3. Mr. Dash, learned counsel for the Petitioner submits that the Petitioner had purchased the land in question vide Registered Sale Deed No.148 dated 24th February, 2004 and applied for mutation of the land in his name in Mutation Case No.791 of 2004 before the Tahasildar, Ballikuda. The said mutation case was dismissed for which the Petitioner preferred Mutation Appeal No.11 of 2012. By order dated 13th December, 2013, the Sub-Collector, Jagatsinghpur- Opposite Party No.2 allowed the appeal and remanded the matter back to the Tahasildar, Ballikuda for fresh adjudication of the mutation case. He further submits that since then, the matter is pending before the Tahasildar, Ballikuda. Hence, a direction may be issued for early disposal of the same and to record the land in the name of the Petitioner.

4. Vide order dated 23rd February, 2022, this Court taking into consideration the submission of learned counsel for the Petitioner, directed the learned State Counsel to take instruction in the matter.

5. Mr. Mishra, learned Additional Standing Counsel, on instruction, submits that Mutation Case No.791 of 2004 has already been allowed vide order dated 23rd May, 2014 after it was remanded by the Sub-Collector, Jagatsinghpur-Opposite Party No.2. The Record Keeper has also been directed to correct the R.O.R. in favour of the Petitioner. In support of his contention, he produces a photocopy of the order dated 23rd May, 2014 passed in Mutation Case No.791 of 2004 before this Court, which is taken on record.

6. In view of the above, the Tahasildar, Ballikuda-Opposite Party No.3 is directed to take steps for issuance of R.O.R. in favour of the Petitioner in terms of the order dated 23rd May, 2014 passed in Mutation Case No. 791 of 2004 at an early date, if there is no legal impediment. The Petitioner may also cooperate with the Tahasildar, Ballikuda for issuance of R.O.R., if any, in his favour.

7. With the aforesaid observation and direction, this writ petition is disposed of.

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

(K.R. Mohapatra)
Judge

bks