

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2387 of 2022

Bira Padhan

..... Petitioner

Mr. Debendra Dhar, Advocate

-versus-

***Collector-cum-District Magistrate,
Bargarh, and others***

.... Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel
(For Opposite Party Nos. 1 to 3)

**CORAM:
JUSTICE K.R. MOHAPATRA**

**ORDER
25.02.2022**

Order No.

1. This matter is taken up through Hybrid mode.
2. This writ petition has been filed for a direction to Tahasildar, Padampur-Opposite Party No.3 to dispose of Mutation Case No.2379 of 2019 at an early date.
3. Mr. Dhar, learned counsel for the Petitioner submits that although the matter is ready for hearing and Tahasildar, Padampur, vide notice under Annexure-3 had placed the matter to 25th October, 2021, but there after the matter was not taken up. It is his submission that there is no revenue or criminal or civil proceeding pending against the land in question. There is also no legal impediment for disposal of the Mutation Case. It is his submission that the judgment and decree passed by learned Civil Judge (Senior Division), Padampur in TS No.64 of 2001 has already become final, as the same has not been challenged. Hence, he prays for early disposal of the Mutation Case.

4. Mr. Mishra, learned ASC submits that he has no instruction in the matter. However, if there is no legal impediment for disposal of the Mutation Case a direction may be made to Opposite Party No.3 for early disposal of the same in accordance with law.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court, without expressing any opinion on the merit of the case of the Petitioner, disposes of the writ petition with a direction that on production of certified copy of this order within a period of two weeks hence, as undertaken by learned counsel for the Petitioner, the Tahasildar, Padampur-Opposite Party No.3 shall make an endeavour for early disposal of the Mutation Case No.2379 of 2019 pending before him, as expeditiously as possible preferably within a period of six months there from following due procedure of law, if there is no legal impediment.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge