

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 4848 of 2022

Kamini Mahapatra

....

Petitioner

Mr. Rashmi Kanta Acharya, Advocate

-versus-

Tahasildar, Boudh and another

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

29.03.2022

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. Petitioner in this writ petition seeks for a direction to Tahasildar, Boudh-Opposite Party No.1 for early disposal of Mutation Case No.690 of 2011 stated to be pending before him.
 3. Upon hearing learned counsel for the Petitioner, this Court vide order dated 22nd March, 2022, directed the learned State Counsel to take instruction in the matter.
 4. Mr. Mishra, learned ASC on written instruction received, submits that Mutation Case No.690 of 2011 was instituted on 26th August, 2011 on receipt of an application filed by the present Petitioner to record the land in Plot No.1689 to an extent of area Ac.0.020 decimal under Khata No.246 in mouza Boudh (for short, 'the case land ') in her name. In the meantime, legal heirs of the recorded tenants of Khata No.246 filed objection not to mutate the case land in the name of the Petitioner stating that they had filed an application under

Section 19(1)(C) of the Odisha Land Reforms Act, 1960 in Case No.5 of 2017 for partition and the Tahasildar, Boudh, vide order dated 21st December, 2017, allowed the said case. Against the said order, an appeal is pending and status quo order has been passed. In that view of the matter, the Tahasildar, Boudh is not in a position to dispose of Mutation Case No.690 of 2011.

5. In view of the above, Mr. Acharya, learned counsel for the Petitioner prays for withdrawal of the writ petition to pursue the matter before the appropriate authority.

6. Considering such submission, the writ petition is disposed of as withdrawn.

(K.R. Mohapatra)
Judge

s.s.satapathy

