

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 7427 of 2022

Kasturi Sahu

..... Petitioner

Mr. Bijaya Kumar Behera, Advocate

-versus-

State of Odisha and another

..... Opp. Parties

Mr. Ajodhya Ranjan Dash,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

30.08.2022

Order No.

IA No.9142 of 2022

- 3.
1. This matter is taken up through Hybrid mode.
 2. This IA has been filed by the Petitioner for a direction to the Additional Tahasildar, Konisi to dispose of Mutation Case No.6420 of 2020 within a stipulated period.
 3. Mr. Behera, learned counsel for the Petitioner submits that assailing the order dated 21st October, 2020 (Annexure-2) passed by Additional Tahasildar, Konisi in Mutation Case No. 6420 of 2020, the aforesaid writ petition has been filed and the same has been disposed of vide order dated 25th March, 2022 with the following direction:-

“In view of the above, this Court has no hesitation to set aside the order dated 21st October, 2020 under Annexure-2 and remit the matter back to the Additional Tahasildar, Konisi-Opposite Party No.2 for fresh adjudication of the Mutation Case No. 6420 of 2020 in accordance with law giving opportunity of hearing to the parties concerned keeping in mind the observation made by this Court in W.P.(C) No.38058 of 2020. It is ordered accordingly.”

Since the time stipulation was not given therein for disposal of the aforesaid Mutation Case, Additional Tahasildar, Konisi is not

taking up the Mutation Case for which the Petitioner is highly prejudiced.

4. Taking into consideration the submission made by learned counsel for the Petitioner, this Court directed learned State Counsel to take instruction in the matter.

5. Mr. Dash, learned AGA submits that in spite of repeated communications no communication/instruction has yet been received from Additional Tahasildar, Konisi. He, therefore, submits that appropriate order may be passed in the IA.

6. Taking into consideration the submissions made by learned counsel for the parties, this Court, while deprecating the conduct of Additional Tahasildar, Konisi in not providing instruction to learned State Counsel, disposes of the IA with a direction that Mutation Case No. 6420 of 2020 shall be disposed of within a period of three months from the date of production of certified copy of this order, giving opportunity of hearing to the parties concerned, if there is no legal impediment.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge

s.s.satapathy