

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 7873 OF 2022

Runi Patra

..... Petitioner

Mr. Niranjana Lenka, Advocate

-versus-

Collector, Nayagarh and others

..... Opp. Parties

Mr. Sarojananda Mishra,
Additional Government Advocate

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

**ORDER
19.04.2022**

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition prays for a direction to drop the proceeding in Mutation Case No.1492 of 2020 pending before the Tahasildar, Ranpur.
 3. It is submitted by Mr. Lenka, learned counsel for the Petitioner that starting from the year, 2010 attempts have been made to grab the property. Several mutation cases have been filed in respect of the case land, which are either dropped or pending. Lastly, in the year 2020, the Mutation Case No.1492 of 2020 has been filed at the instance of one Bijay Bihari Padhi-Opposite Party No.3, who is dead since 2018. Bringing all these facts, the Petitioner filed an application vide Annexure-8 to drop the mutation proceeding. The Tahasildar, Ranpur without considering the same is proceeding with the aforesaid mutation case. Hence, this writ petition has been filed for the aforesaid relief.
 4. Mr. Mishra, learned Additional Government Advocate submits that although the Petitioner states that Bijay Bihari Padhi is dead since 2018, but he has been impleaded as Opposite Party No.3 to the writ petition. However, if the application under

Annexure-8 is still pending before the Tahasildar, Ranpur, a direction may be issued to the Tahasildar, Ranpur to take a decision on 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 merits of the case of the Petitioner disposes of this writ petition with a direction to the Tahasildar, Ranpur-Opposite Party No.2 to consider and dispose of the application under Annexure-8 in accordance with law within a period of eight weeks from the date of production of certified copy of this order by passing a reasoned order thereon.

6. Mr. Lenka, learned counsel for the Petitioner undertakes to produce a certified copy of this order within a period of two weeks hence.

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

(K.R. Mohapatra)
Judge

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