

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 23038 OF 2013

Shyam Sundar Hans

....

Petitioner

Mr. D.P. Mohanty, Advocate

-versus-

***Dist. Sub-Registrar, Khurda and
another***

....

Opp. Parties

Mr. Devashish Pattnaik,
Additional Government Advocate

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

ORDER

14.11.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks to assail the order dated 12th August, 2013 (Annexure-1) passed by the District Sub-Registrar, Khurda in Misc. Case No. 8 of 2011, whereby he refused to register a deed of cancellation of Power of Attorney vide Document No. 1491 dated 3rd July, 2022.
3. In course of hearing, Mr. Mohanty, learned counsel for the Petitioner submits that although notice was directed to be issued to the Opposite Parties, but the matter has not been listed thereafter. He further submits that the order impugned herein is appealable under Section 72 of the Registration Act, 1908. Hence, he prays for withdrawal of the writ petition to avail the statutory remedy.
4. In view of such submission, this writ petition is disposed of as withdrawn.

5. It is made clear that the appellate authority while considering the delay in filing the appeal shall also take into consideration the pendency of the writ petition before this Court from 1st October, 2013 till date along with other grounds.

6. Certified copy of Annexure-1 shall be returned to the learned counsel for the Petitioner on substitution of attested photocopy thereof.

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

(K.R. Mohapatra)
Judge

bks

