

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 12529 OF 2022

***Pradyumna Kumar Mohanty and
another***

Petitioners

Mr. Anjan Kumar Jena, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Sarojananda Mishra,
Additional Government Advocate

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

**ORDER
20.05.2022**

Order No.

01. 1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioners in this writ petition is with regard to inaction of the Sub-Collector, Khurda-Opposite Party No.2 in disposing of Mutation Appeal No.24 of 2021 pending before him.
3. Mr. Jena, learned counsel for the Petitioners submits that assailing the order dated 18th March, 2021 passed by the Tahasildar, Khurda-Opposite Party No.3 in Mutation Case No.1561 of 2021, the Petitioner had moved this Court in W.P.(C) No.25582 of 2021, which was disposed of vide order dated 21st September, 2021 with an observation that the Petitioners, if so advised, may move the appellate authority assailing the order impugned therein. Accordingly, the Petitioners filed Mutation Appeal No.24 of 2021 before the Sub-Collector, Khurda. Although notices have been issued to the Opposite Parties and they have already entered appearance, the Sub-Collector, Khurda is not taking any step for disposal of the appeal. It is further

submitted that there is no legal impediment for early disposal of the appeal. Due to non-disposal of the appeal, the Petitioners are seriously prejudiced. In that view of the matter, he prays for a direction for early disposal of Mutation Appeal No.24 of 2021.

4. Mr. Mishra, learned Additional Government Advocate submits that he has no instruction in the matter. However, if the appeal is otherwise ready for hearing, the Sub-Collector, Khurda-Opposite Party No.2 may take steps for early disposal of the appeal in accordance with law.

5. Taking into consideration the rival contentions of the parties, this Court without expressing any opinion on the merits of the case of the Petitioners disposes of this writ petition with a direction that on production of certified copy of this order within a period of two weeks hence, the Sub-Collector, Khurda-Opposite Party No.2 shall do well to consider and dispose of Mutation Appeal No.24 of 2021 in accordance with law as expeditiously as possible preferably within a period of six months therefrom giving opportunity of hearing to the parties concerned, if there is no legal impediment.

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

(K.R. Mohapatra)
Judge