

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13146 OF 2022

Basanti Behera

Petitioner

Mr. B.C. Panda, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

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

**ORDER
08.07.2022**

Order No.

2.
 1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks to assail the order dated 29th October, 2021(Annexure-3) passed by the Sub-Registrar, Athagarh-Opposite Party No.3 in Refusal Case No.4 of 2021, whereby he refused to register the sale deed executed by the Petitioner in respect of her share in the said property.
 3. Since the impugned order under Annexure-3 is appealable one under Section 72 of the Registration Act, 1908, Mr. Panda, learned counsel for the Petitioner prays for withdrawal of the writ petition to move the Appellate Authority. He, however, submits that a direction may be issued for condonation of delay in filing the appeal and the same may be heard on merit.
 4. Taking into consideration the submission made by learned counsel for the Petitioner, this writ petition is disposed of as withdrawn.

5. It is, however, observed that while considering the petition for condonation of delay, the Appellate Authority shall take into consideration the pendency of the writ petition before this Court from 20th May, 2022 till date along with other grounds.

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

(K.R. Mohapatra)
Judge

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