

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) PIL No.11211 of 2018**

***Ajaya Narayan Samal and others* .... *Petitioners***

Mr. C. K. Pradhan, Advocate

**-versus-**

***State of Odisha and others* .... *Opposite Parties***

Mr. Debakanta Mohanty, AGA

**CORAM:  
THE CHIEF JUSTICE  
JUSTICE R. K. PATTANAIK**

**ORDER  
24.06.2022**

**Order No.**

17. 1. This petition is restored vide order passed today in CMAPL No.215 of 2022.
2. The grievance of the present Petitioners is about the mutation carried out in favour of Opposite Party No.7 in respect of land situated in village Sahadev Khunta, Unit No.2 in District Balasore bearing RoR 513, Plot No.849 on the basis of an *ex parte* decree obtained against the Government. It is contended that the land is actually a “Pani Nala” Kisam i.e. a water body and should not have been mutated in favour of Opposite Party No.7. However, when the Government filed appeal against the *ex parte* decree that too was dismissed for default.
3. Notwithstanding the above proceedings, if the Petitioners are aggrieved by the grant of mutation in favour of Opposite Party No.7 by way of an order of the Tahasildar, it will be open to the

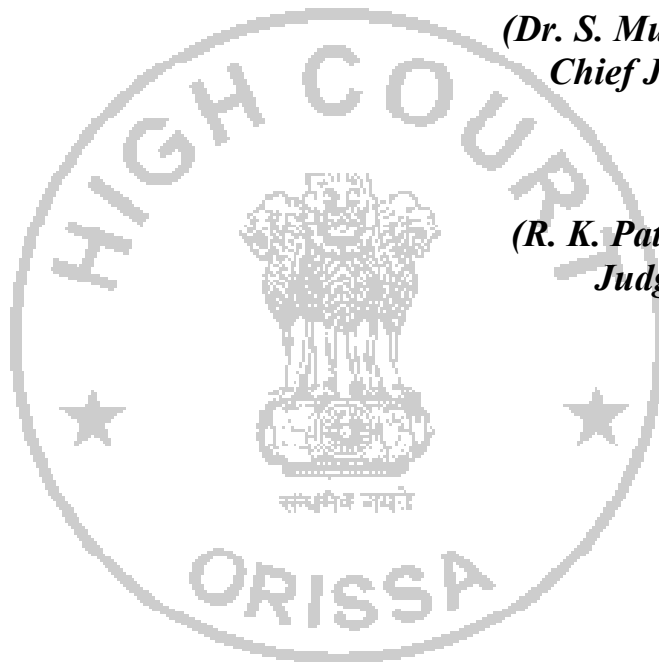
Petitioners to file an appropriate appeal before the Sub-Collector, Balasore against the said order in accordance with law.

4. Granting the Petitioners that liberty, the petition is disposed of.

6. Issue urgent certified copy of this order as per rules.

***(Dr. S. Muralidhar)***  
***Chief Justice***

***(R. K. Pattanaik)***  
***Judge***



*M. Panda*