

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.14405 OF 2022

Santosh Chakra

....

Petitioner(s)
Mr.S.Mallik,
Advocate

-versus-

State of Orissa and others

....

Opposite Party(s)
Mr. S.Ghose,
AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
29.07.2022

Order No.

04.

1. Heard learned counsel for the Parties.
2. The Writ Petition involves the following prayer:

“Under the aforesaid facts and circumstance the petitioner humbly prays that this Hon’ble Court may graciously be pleased to,

 1. Direct/Order that the Tahasildar shall decide and dispose of the Mutation Case No.1148/2007 and pass final orders within the stipulated period and shall issue the ROR in respect of the land in Plot No.175 Khata No.24 Mouza-Bohugaria Area A 1.64 dec. corresponding to Hal Plot 189, Khata No.90 Mouza-Bohugaria Area A 1.64 dec.
 2. Pass such other order(s)/direction(s) as may be deemed fit and proper in the bonafide interest of justice.”
3. This is an unfortunate case that Petitioner has to move this Court for seeking a direction for disposal of the Mutation Case No.1148 of 2007 registered in the year 2007. The matter is still pending even after listed on several dates.
4. It is observed that two Tahasildars appearing to be involved in the dispute putting blame on the other. Sometime it has been submitted by one of the Tahasildar that the land belongs to some other Tahasil and matter remained undisposed. Even after several adjournments there was

no concrete information from the Tahasildars involved. Finding no complete information and no showing of interest in ultimate disposal of the Mutation Case No.1148 of 2007, this Court vide order dated 25.07.2022 was constrained to ask both the Tahasildar, Anandpur and the Tahasildar, Ghasipura to remain present in Court today to explain the reason of such delay. A detailed affidavit has been filed by Mr.Babulu Perei, the Tahasildar Ghasipura and Narendra Kumar Sethy, the Tahasildar, Anandpur who are also present in person in Court. In the process of hearing, the Tahasildar, Ghasipura while begging excuse submitted to the Court that he has already undertaken exercise to dispose of the Mutation Case No. 1148 of 2007 involved herein.

5. This Court while deprecating the unnecessary delayed discharge of the duty by the public officer in getting Mutation Case No. 1148 of 2007 for merely fifteen years however keeping in view the tendering of excuse and undertaking offered in Court by the Tahasildar, Ghasipura, this Court directs him to dispose of the Mutation Case No. 1148 of 2007 pending as expeditiously as possible preferably within a period of one and half months.

6. Petitioner is directed to present the certified copy on the Tahasildar, Ghasipura within a period of seven working days. In the event notice, if any, is necessary to be served on Opposite Parties likely to be affected, notice on such parties may be served by way of Special Messenger but at the cost of the Petitioner.

7. Free copy of this order be handed over to learned State Counsel.

8. The Writ Petition stands disposed of.

(Biswanath Rath)
Judge