

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18193 of 2022

Sovarani Dash & others **Petitioners**

*Mr. K. Mishra,
Advocate*

-versus-

State of Odisha & others **Opp. Parties**

*Mr. D.K. Mohanty,
Additional Standing Counsel*

**CORAM:
JUSTICE BISWAJIT MOHANTY**

**ORDER
22.09.2022**

Order No.

- 01.
1. Mr. K. Mishra, learned counsel for the petitioners files the Deficit Court Fee of Rs.24/- and Authentication Fee of Rs.2/- along with two memos in Court today. The same are taken on record.
 2. Heard Mr. K. Mishra, learned counsel for the petitioners and Mr. D.K. Mohanty, learned Additional Standing Counsel.
 3. At the outset, on oral prayer of Mr. Mishra, the present writ petition is confined only to Subasha Dash (Petitioner No.7).
 4. Mr. Mishra submits that the petitioner No.7 has applied for legal heir certificate and the same has been rejected by the Tahasildar, Cuttack Sadar under Annexure-1. Accordingly, he prays that the same be quashed and direction be issued to the Tahasildar, Cuttack Sadar to issue legal heir certificate.
 5. Mr. D.K. Mohanty, learned Additional Standing Counsel submits that the impugned order under Annexure-1 is an appealable one under Rule 10(a) of the Odisha Miscellaneous Certificate Rules, 2019. According to him, the petitioner has

unnecessarily rushed to this Court instead of approaching the Sub-Collector, Cuttack (opposite party No.3), who is the appellate authority.

6. In such background, Mr. Mishra wants to withdraw this writ petition to file an appeal before the Sub-Collector, Cuttack (opposite party No.3).

7. Considering the submissions made, this writ petition is disposed of as withdrawn.

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

Prasant

