IN THE HIGH COURT OF ORISSA AT CUTTACK

RVWPET No. 166 of 2022

Shantilata Panda .... ***Petitioner***
Mr. Rakesh Behera, Advocate

-versus-

District Registrar, Jajpur and another .... ***Opp. Parties***
Mr. Ajodhya Ranjan Dash,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
15.11.2022

Order No.

02. 1. This matter is taken up through Hybrid mode.

2. This Petition has been filed for review of order dated 22nd June, 2022 passed in W.P.(C) No.13748 of 2022, which the writ petition was disposed of.

3. Mr. Behera, learned counsel for the Petitioner submits that this Court has jurisdiction to entertain the writ petition in spite of availability of alternate remedy under Section 77 of the Registration Act (for short, 'the Act'). It is his submission that the Registering Officer under Section 22-A Clause- 'C' of the Act has the jurisdiction to register a sale deed with regard to share in a joint family property. It is also held in several case laws that a person can alienate his share in the joint family property. Hence, the writ petition could have been disposed of on merit without relegating the Petitioner to file suit under Section 77 of the Registration Act.

4. The issue raised by learned counsel for the Petitioner cannot be considered in a review petition. In that view of the matter, I am not inclined to entertain the instant review petition.

5. Accordingly, the RVWPET stands dismissed.

(K.R. Mohapatra)
Judge

s.s.satapathy