

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 22586 OF 2022

Bharati Dash

....

Petitioner

Mr. Santanu Kumar Sarangi, Senior Advocate
along with Mr. Sudeep Kumar Sarangi, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

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

**ORDER
21.12.2022**

Order No.

6. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Sub-Registrar, Khandagiri-Opposite Party No.3 to register the sale deed intended to be presented by her.
3. Mr. Sarangi, learned Senior Advocate appearing for the Petitioner submits that for treatment of the husband of the Petitioner, she intended to alienate her property over Plot No.700/3940 under Khata No.512/2983 situated in mouza Gangapatna under Khandagiri Sub-Registrar. The total extent of Plot No.700/3940 is Ac.0.162 decimals. Out of the same, an area of Ac.0.045 has already been acquired by the State Government vide Notification No.15525 dated 5th October, 2018 of the Collector, Khurda. The Petitioner wants to alienate rest of the area for her legal necessity. Although the Petitioner presented the sale deed before the Sub-Registrar, Khandagiri, but the same was returned saying that land acquisition

proceeding in respect of the property in question is going on. Hence, this writ petition has been filed.

4. Mr. Mishra, learned Additional Standing Counsel referring the land acquisition notification dated 5th October, 2018 submits that the case of the Petitioner may be considered by the Sub-Registrar, Khandagiri for alienation of the rest of the land, if available, after acquisition of the land.

5. In view of the above, this Court keeping in mind that the Petitioner requires money for treatment of her husband, who is suffering from cancer, disposes of this writ petition with a direction that in the event the Petitioner produces the document in original before the Sub-Registrar, Khandagiri-Opposite Party No.3 along with certified copy of this order, he shall do well to make an enquiry in the matter in consultation with the Land Acquisition Officer and take a decision on the registration of sale deed so presented by the Petitioner as expeditiously as possible but not later than fifteen days.

6. As requested, a copy of this order be handed over to Mr. Mishra, learned Additional Standing Counsel for communication and compliance.

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

(K.R. Mohapatra)
Judge

bks