

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20490 of 2019

Madhusudan Rout

..... Petitioner

Mr. Budhiram Das, Advocate

-versus-

State of Odisha and others

.... Opp. Parties

Mr. Soumya Mishra, Advocate
(For Opposite Party No.4)

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

23.08.2022

Order No.

- 4.
1. This matter is taken up through Hybrid mode.
 2. Petitioner in this writ petition seeks to assail the order dated 24th September, 2019 (Annexure-8) passed by Additional District Magistrate-cum-District Registrar, Mayurbhanj in Registration (A) Case No.01 of 2018 directing the Sub-Registrar (Hq.), Baripada to execute the deed of cancellation of Power of Attorney presented by Opposite Party No.4.
 3. Mr. Mishra, learned counsel for Opposite Party No.4 submits that in the meantime, order of Additional District Magistrate, Mayurbhanj under Annexure-8 has already been given effect to and the cancellation deed of Power of Attorney has been registered. Hence, nothing remains to be adjudicated in this writ petition. Legality and effect of such registration can only be assailed by filing a property constituted suit.
 4. Mr. Das, learned counsel for the Petitioner, however, prays for an adjournment in the matter.

5. Keeping in mind that order under Annexure-8 has already been carried out and the deed of cancellation of Power of Attorney has already been registered, this writ petition is disposed of with an observation that the Petitioner if is so advised, may file a properly constituted suit assailing the legality and effect of registration of such document.

6. Interim order dated 15th November, 2019 passed in IA No.14882 of 2019 stands vacated.

(K.R. Mohapatra)
Judge



s.s.satapathy