

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23871 of 2022

Subarna Panda

....

Petitioner

Ms. D. Mahapatra,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. U.K. Sahoo,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
22.09.2022**

Order No.

- 01.
1. In course of argument it is observed that there is already a suit involving 'WILL' also taken care of in the proceeding U/s.15(b) of the O.S.S. Act.
 2. Miss Mohapatra, learned counsel for the Petitioner submits that after passing of a decree there is pendency of an appeal in the civil forum. For the opinion of this Court, if there involves an *ex parte* order directing for preparation of the record of rights, for the settled position of law the records of rights neither creates any right in favour of any anybody nor extinguishes right of any party and the 15(b) order, if any, has to be guided by the Civil Court decree.
 3. With the above observation the Writ Petition stands disposed of.

(Biswanath Rath)
Judge