

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24151 of 2022

Sanjib Madhu Prasad & Ors.

....

Petitioner(s)

Mr. M. Mohanty,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

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

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
26.09.2022**

Order No.

01. 1. Taking this Court to the disposal of the Mutation Case No.7457 of 2021 and further to the property disclosures vide order dated 12.11.2021 at page 26 of the brief reading together with the notice at Annexure-6 at page 30 of the brief in Mutation Case No.4616 of 2020 Mr. Mohanty, learned counsel for the Petitioners submitted that once there is already allowing of mutation involving such property, there is no point in entertaining such Mutation Case as appearing at page 30 of the brief herein.
2. Hearing the submission of Mr. Mohanty, learned counsel for the Petitioners, this Court finds, the Petitioners' Mutation Case registered as Mutation Case No.7457 of 2021 whereas the notice at page 30 of the brief is issued to the Petitioners in a Mutation Case registered earlier as Mutation Case No.4616 of 2020 a prior litigation. There should not be any dispute or doubt that the Petitioners' Mutation Case subsequently came and have been disposed of ahead of disposal

of the Mutation Case, may be involving very same land and also may be during pendency of the earlier Mutation Case. This Court does not like to interfere in such matter, however, for there is already a notice served on the Petitioners, if the Petitioners have already submitted their objection to such notice as claimed by the Petitioners vide Annexure-8, the competent authority shall do well in taking into account such objection while deciding Mutation Case No.4616 of 2020.

3. The Writ Petition stands disposed of with the above order.

(Biswanath Rath)
Judge

Ayaskanta Jena

