

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 26526 of 2019

Surendra Kumar Behera

....

Petitioner

Mr. Suraj Mohanty, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

Mr. Dillip Kumar Mishra,

Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

06.01.2022

Order No.

3. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition seeks to assail the order dated 29th June, 2019 passed by the Tahasildar, Athagarh in Mutation Case No.1198 of 2019 whereby he confirmed the report dated 20th June, 2019 submitted by the Revenue Inspector, Nidhipur.
3. In course of hearing, Mr. Mohanty, learned counsel for the Petitioner by filing an affidavit of the Petitioner submits that assailing the said order, the Petitioner has already filed Mutation Appeal Nos.27, 28 and 29 of 2019 before the Sub-Collector, Athagarh, which are pending for consideration. It is his submission that notices on the respondent therein have already been issued since 2019. It is, therefore, submitted that interest of justice will be best served, if a direction is made for early disposal of the aforesaid appeals by the Sub-Collector, Athagarh at an early date.
4. Mr. Mishra, learned Additional Government Advocate for the State, on the other hand, submits that there is no

material on record to show that the aforesaid appeals are ready for hearing. As such, prayer made in this writ petition cannot be granted.

5. Taking into consideration the submissions made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case, disposes of the writ petition with a direction that in the event the Petitioner files individual applications for early disposal of Mutation Appeals No.27, 28 and 29 of 2019 before the Sub-Collector, Athagarh- Opposite Party No.2 within a period of two weeks hence along with certified copy of this order, the Sub-Collector, Athagarh shall consider the same in accordance with law as expeditiously as possible preferably within a period of four weeks therefrom by fixing a firm date for early disposal of the aforesaid appeals, if the same are ready for hearing and there is no legal impediment for disposal of the same.

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

(K.R. Mohapatra)
Judge