

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 30883 OF 2022

Kishori Mohanty

....

Petitioner

Mr. Anupam Rath, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

07.12.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. 2. The Petitioner in this writ petition seeks for a direction to the Sub-Registrar, Khandagiri-Opposite Party No.4 to release the Registered Cancellation of Sale Agreement which has been accepted vide Document No.0041334 executed by the Petitioner.
3. 3. Mr. Rath, learned counsel for the Petitioner submits that although the document as aforesaid has already been registered, but it is being withheld by Opposite Party No.4. Hence, this writ petition has been filed.
4. 4. In view of such submission, this Court vide order dated 22nd November, 2022 directed learned State Counsel to take instruction in the matter. A counter affidavit has been filed by Opposite Party No.4, hard copy of which presented in Court. It is stated therein that the document was presented by the Petitioner suppressing that C.S. No.1506 of 2021 is pending in the Court of learned Civil Judge (Senior Division), Bhubaneswar filed by Opposite Party No.6. In view of the above, the

document received from the Petitioner was not registered and it was refused vide order No.1224 dated 11th November, 2022. A copy of the order passed by the Sub-Registrar, Khandagiri is annexed to the counter affidavit as Annexure-C/4.

5. Mr. Mishra, learned Additional Standing Counsel submits that the document presented by the Petitioner along with the order shall be handed over to her within a period of one week.

6. In view of such submission, this writ petition is disposed of with a direction that the Sub-Registrar, Khandagiri-Opposite Party No.4 shall return the document in original along with the reasons of refusal as at Annexure-C/4 to the Petitioner with proper acknowledgement as expeditiously as possible within a period of seven days.

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

(K.R. Mohapatra)
Judge

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