

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.32062 OF 2022

Yedla Balanagamma ***Petitioner(s)***
Mr.P.V.Balakrishna,Adv.
-versus-

The Tahasildar-cum-Mutation Officer, Paralakhemundi and others ***Opposite Party(s)***
Mr.S.P.Panda,AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
30.11.2022

Order No.
01.

1. Heard learned counsel for the Parties.
2. It is alleged that even though the C.S. No.13 of 2020 is pending between the parties instead of awaiting for the final outcome in the suit, there has been disposal of the mutation proceeding. It is further alleged in the event any development shown by virtue of the mutation orders, there may not be anything surviving to be adjudicated in the civil dispute and there will also be multiplicity of litigation on selfsame law.
3. Considering the submission of Mr.Balakrishna, learned counsel for the Petitioner, this Court while observing development, if any, in mutation proceeding since only involve preparation of Record of Right, it neither creates right nor extinguishes right of anybody and development in the mutation proceeding shall remain ultimately abided by final outcome in the civil proceeding. This Court in disposal of Writ Petition grants liberty to the Petitioner, if necessary

to get appropriate interim order through the Civil Court involves C.S. No.13 of 2020.

4. The Writ Petition stands disposed of.

(Biswanath Rath)
Judge

Swarna

