

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 37963 of 2021

Sarbeswar Mishra and another ***Petitioners***
Mr. Abhinash Nayak, Advocate
-versus-
State of Odisha and another ***Opp. Parties***
Mr. Dillip Kumar Mishra,
Additional Government Advocate

CORAM:
JUSTICE K.R.MOHAPATRA

ORDER

05.01.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioners in this writ petition seek for a direction for early disposal of Mutation Case No.853 of 2017 stated to be pending before the Tahasildar, Baramba-Opposite Party No.2.
3. Mr. Nayak, learned counsel for the Petitioners submits that notices have been made sufficient on the Opposite Parties in the mutation case. There is neither any civil suit nor any revenue proceeding or other litigation pending in respect of the land in question. He further submits that although the matter is otherwise ready for hearing and there is no legal impediment for early disposal of the aforesaid mutation case, the Tahasildar, Baramba is not making any endeavour for early disposal of the same in accordance with law for which the Petitioner is seriously prejudiced. Hence, he prays for a direction to the Tahasildar, Baramba for disposal of the aforesaid mutation case at an early date.
4. Mr. Mishra, learned Additional Government Advocate for the State, on the other hand, submits that he has no instruction with regard to the status of the mutation case stated to be pending before

the Tahasildar, Baramba. However, if the aforesaid mutation case is still pending, a direction may be made for early disposal of the same in accordance with law, if there is no legal impediment.

5. Taking into consideration the averments made in the writ petition as well as 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 the Tahasildar, Baramba-Opposite Party No.2 shall do well to make an endeavour for early disposal of Mutation Case No.853 of 2017 stated to be pending before him in accordance with law as expeditiously as possible preferably within a period of six months from the date of production of certified copy of this order giving opportunity of hearing to the parties concerned, if there is no legal impediment.

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

(K.R. Mohapatra)
Judge

bks