

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.33215 OF 2022

Ranjit Mandal & others

....

Petitioner(s)

Mr.G.Mishra,Adv.

-versus-

Tahasildar, Kalimela & others

....

Opposite Party(s)

Mr.S.P.Panda,AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

09.12.2022

Order No.

01.

1. This Court records the submission of learned counsel for the Petitioner that the Mutation Case No. 62 of 2021 has been decided without involvement of the Petitioner, who is in fact the occupier of the land.
2. Considering this grounds taken and for the statutory remedy appeal available, this Court finds the Writ Petition at this stage is not entertainable. In the circumstance, while permitting the Petitioner to withdraw the Writ Petition, this Court also permits the Petitioner to bring an appeal before the Appellate Authority under the provision of Mutation Manual accompanying therein a leave application.
3. Considering the Petitioner was not involved in the proceeding involved, in the event any such application and the appeal is filed at least within two weeks hence, leave application shall be allowed and the appeal shall be disposed of on its own merit but however involving party likely to be affected also.

(Biswanath Rath)
Judge

Utkalika