

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39209 of 2021

(Through hybrid mode)

Sk. Zakir Hossain

....

Petitioner

Mr. Niranjan Panda, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.A.K.Sharma, Addl. Govt. Advocate

CORAM: JUSTICE ARINDAM SINHA

ORDER
03.01.2022

Order No.

01.

1. Mr. Panda, learned advocate appears on behalf of petitioner and submits, his client is owner of immovable property described in his client's notice dated 27th October, 2021, sent to District Registrar, Jajpur and Sub-Registrar, Dharmasala. His client's name stands entered in the Record of Rights (RoR). There should be direction upon opposite parties nos.3 and 4 to refuse registration of sale deed in respect of his client's property, as private opposite parties are seeking to wrongfully alienate.

2. Mr. Sharma, learned advocate, Addl. Government Advocate appears on behalf of State and submits, the RoR carries several other names in respect of the land. The writ petition is not maintainable.

3. Enquiry by registering authority regarding registration of document has to be within scope of section 34 in Registration Act, 1908. It appears petitioner has his name entered in the RoR, which carries other names as well. If petitioner claims exclusive title then petitioner has to obtain declaration thereon from the civil Court.

4. With above observation, the writ petition is disposed of.

(Arindam Sinha)
Judge

RKS

