

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO. 33472 OF 2022

Girija Prasad Swain ***Petitioner***

Mr. Abhaya Kumar Parida, Advocate

-versus-

State of Odisha and others ***Opp. Parties***

Mr. A.R. Dash,

Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
15.12.2022

Order No.

1. 1. This matter is taken up through hybrid mode.
2. 2. This writ petition has been filed with a grievance that the Sub-Registrar, Satyabadi-Opposite Party No.3 is not accepting sale deed executed by Opposite Party No.5, namely, M/s. Maa Tarini Estcon Pvt. Ltd., in his favour for registration due to the letter issued by the Sub-Inspector, Saheed Nagar P.S. stating that investigation under the provisions of the Odisha Protection of Interests of Depositors (In Financial Establishments) Act, 2011 in respect of the property is pending.
3. 3. Mr. Parida, learned counsel for the Petitioner submits that in similar writ petition, this Court directed the concerned Sub-Registrar and Tahasildar to act upon the direction made in W.P.(C) Nos.19171 and 16414 of 2017, disposed of on 8th March, 2019. He further submits that the case of the Petitioner

may be considered by the Sub-Registrar, Satyabadi in terms of the aforesaid case law.

4. Mr. Dash, learned Additional Government Advocate submits that the matter requires consideration as to whether the ratio decided in W.P.(C) Nos.19171 and 16414 of 2017 is applicable to the transaction in question or not. Hence, he submits that the Sub-Registrar, Satyabadi may take a decision in that regard in the event the sale deed in question presented for registration.

5. Taking into consideration the submission made by learned counsel for the parties, this Court without expressing any opinion on the merits of the case disposes of this writ petition with a direction that in the event the Opposite Party No.5, namely, M/s. Maa Tarini Estcon Pvt. Ltd., presents the sale deed under Annexure-1 for registration before the Sub-Registrar, Satyabadi-Opposite Party No.3, he shall do well to consider the same and pass a reasoned order thereon, giving opportunity of hearing to the parties concerned and communicate the result thereof to the Petitioner forthwith.

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

(K.R. Mohapatra)
Judge

bks