

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.34070 of 2022

Anita Mantri

....

Petitioner(s)
Mr. C.R. Pattnaik,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)
Mr. S. Mishra,
Addl. Standing Counsel

CORAM:
JUSTICE BISWANATH RATH

ORDER
15.12.2022

Order No.

01. 1. On oral submission, Mr. Pattnaik, learned counsel for Petitioner is permitted to rearrange the annexures and if necessary, to streamline the index position in Court today.

2. This Writ Petition involves the following prayer:-

“Under such circumstance, it is therefore prayed that your lordships would be graciously pleased to admit this writ application, call for records, and after hearing the parties may be pleased to issue a writ/s/order/s/ direction/s/ in the nature of mandamus directing the opposite parties to take immediate steps to issue R.O.R. in her favour on basis of the mutation case vide no. 884 of 2004 filed by the petitioner and also further may direct the authority to open tenant ledger in her name and to accept rents from her against the said land.

And further may pass any other order/s/direction/s/ as this Hon’ble court deems just and proper.”

3. Taking this Court to the source involving prayer through Annexure-2 learned counsel for Petitioner submits that for there is already involvement of a mutation order, there is no obstruction in bringing out the corrected record of rights. It is alleged that even in

spite of a representation at Annexure-3 there is no correction in the record of rights.

4. Learned State Counsel, however, submits that there may not be any impediment in bringing out the record of rights, but subject to the position that the order at Annexure-2 has not been reversed in the meantime.

5. Considering the rival contentions of the parties, this Court in disposal of the Writ Petition observes, in the event there is no interference in the order at Annexure-2, dependent on the request of the Petitioner vide Annexure-3 corrected record of rights may be brought by completing the entire exercise within a period of one month from the date of communication of a certified copy of this order by the Petitioner.

(Biswanath Rath)
Judge

