

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39936 of 2021

Basant Kumar Biswal and another* *Petitioners

Mr. Niranjan Nayak, Advocate

-versus-

The Tahasildar, Pallhara and another* *Opp. Parties

Mr. Sarojananda Mishra,

Additional Government Advocate

CORAM:

JUSTICE K.R.MOHAPATRA

ORDER

08.02.2022

Order No.

04.

1. This matter is taken up through hybrid mode.
2. The Petitioners in this writ petition pray for a direction for registration of their mutation case and for early disposal of the same pursuant to the final decree passed by learned Sub-Judge, Dhenkanal on 21st April, 1973 in T.S. No.20 of 1963.
3. Mr. Nayak, learned counsel for the Petitioners submits that the final decree, as aforesaid, has already attained its finality as it has never been challenged. In spite of the same, the Tahasildar, Pallhara is not registering the mutation case and is not taking any step to record the land in question in terms of the said final decree.
4. Mr. Mishra, learned Additional Government Advocate for the State submits that he has no instruction in the matter. He further submits that if the mutation case is filed in proper format along with requisite fees and relevant documents, the Tahasildar, Pallhara may be directed to register the same and do the needful in accordance with law.

5. Taking into consideration the 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 to the Tahasildar, Pallhara-Opposite Party No.1 to register the mutation case stated to have been filed by the Petitioners since March, 2021 and proceed with the matter in accordance with law, if the same is in order. After registration of the mutation case, Tahasildar, Pallhara-Opposite Party No.1 shall do well to make an endeavour for early disposal of the mutation case as expediently as possible preferably within a period of four months after the matter becomes ready for hearing.

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

(K.R. Mohapatra)
Judge

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