

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.34936 OF 2022

***Sri Sri Haragouri Sibamahadeba
Mahaprabhu, Bargarh***

....

Petitioner

Mr.K.K.Jena, Adv.

-versus-

State of Odisha & anr.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
21.12.2022**

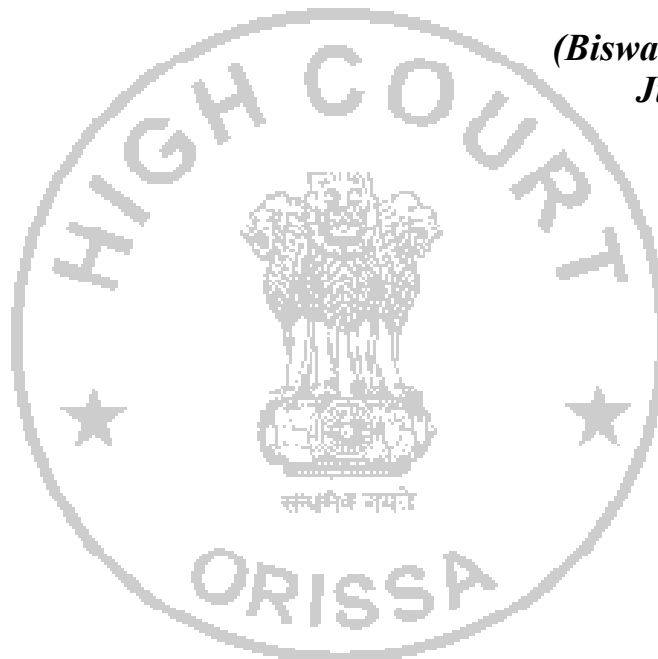
Order No.

01. 1. Heard learned counsel for the Parties.
2. This is a Writ Petition declining mutation on the premises of a Will not being probated involving the property in the District of Bargarh.
3. Law has been settled through disposal of W.P.(C) No.812/2021 by this Court observing there is no requirement of probate of Will in the while District of Bargarh.
4. The impugned order involved herein appears to be in non-consideration of the settled position of law. As a consequence, this Court sets aside the order at Annexure-3 and remits the matter to the Tahasildar, Bargarh for fresh disposal of Mutation Case No.6540

of 2019 and deciding the issue involved therein also keeping in view the order of this Court in W.P.(C) No.812/2021. Let the Petitioner appear before the Tahasildar, Bargarh along with a copy of this order also copy of the order passed in the said Writ Petition and take the date of hearing of the Mutation Case No.6540 of 2019.

5. With this direction, the Writ Petition stands disposed of.

M.K.Rout



(Biswanath Rath)
Judge