

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41497 of 2021

Nirmal Swain and others *Petitioners*

-versus-

State of Odisha and others *Opposite Parties*

CORAM: JUSTICE S. PUJAHARI

ORDER

13.04.2022

Order

No.

02.

1. This matter is taken up through hybrid mode.
2. Heard the learned counsel for the Petitioner and the learned counsel for the State-Opposite Parties.
3. As it appears, the Petitioner has come to this Court challenging non-acceptance of the sale deed in view of the intimation of the Tahasildar, Chandbali to the Sub-Registrar, Chandbali vide letter No.3291 dated 9th May, 2017.
4. It appears that process has been started for creation of one new revenue Village-Ghikoili by carving out of parent Village-Kandha under Tahasil-Chandbali, in which the land of the Petitioner is located. The Tahasildar, Chandbali has intimated the Sub-Registrar, Chandbali not to register all type of deed till notification for the creation of new revenue village.

5. However, it is stated that no action has been taken till date.

6. The aforesaid can hardly be a ground not to accept the sale deed for registration inasmuch as in carving out the new revenue village, the same shall have no impact on execution of sale deed.

7. In such premises, this Court directs the registering authority concerned, if the revenue village has not been carved out as on date, need not wait for the same pursuant to the letter No.3291 dated 9th May, 2017 and register the sale deed presented of existing village, if there is no other legal impediment. If any such legal impediment is there, it must on receipt of the sale deed diarise the same, give refusal memo along with the reasons of refusal to the vendor concerned.

8. With the aforesaid order, this writ petition stands disposed of.

(S. Pujahari)
Judge

DA