IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27620 of 2025

(An application under Article 226 and 227 of the Constitution of India, 1950)

Sanjeet Kumar Mohanty .... ***Petitioner***

-versus-

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

Appeared in this case by Hybrid Arrangement

(Virtual/Physical Mode):

For Petitioner **-** Mr. A.K. Sarangi, Advocate.

For Opposite Parties- Mr. Tej Kumar, Learned Additional Sanding Counsel

CORAM:
HON'BLE MR. JUSTICE A.C.BEHERA

Date of Hearing :24.10.2025 :: Date of Judgment :24.10.2025

A.C. Behera, J. This writ petition under Articles 226 and 227 of the Constitution of India, 1950 has been filed by the petitioner praying for directing the Sub-collector, Jajpur (Opposite Party No.2) in the district of Jajpur to receive the Mutation Appeal of the petitioner against the final order dated 21.06.2025 passed in Mutation Case No.3285 of 2025, because, the Sub-collector, Jajpur(Opposite Party No.2) orally refused to receive the appeal.

2. Heard from the learned counsel for the petitioner and learned Additional Standing Counsel for the State.

3. On this aspect, the propositions of law has already been clarified in a case between ***Sunil Kumar Yadav vrs. District Magistrate, Lucknow and others*** : reported in ***2025(3) Civil Court Cases-159 (Allahabad)*** that, *"when a person approaches the court of law by filing an application or appeal, the court of law cannot refuse to receive the said application or appeal. Because, as per law, it is the duty of the court to receive the said application or appeal and to dispose of the same as per law."*

4. So, in view of the propositions of law enunciated in the ratio of the above decision, the conduct of the Sub-collector, Jajpur(Opposite Party No.2) for non-receiving the Mutation Appeal memo of the petitioner and his oral refusal to receive the same cannot be held as legal.

For which, there is no justification under law to disallow this writ petition filed by the petitioner, as this writ petition has been filed by the petitioner to direct the Opposite Party No.2 for receiving the statutory Mutation Appeal filed by the petitioner.

5. Hence, this writ petition filed by the petitioner is allowed.

6. The Sub-collector, Jajpur(Opposite Party No.2) is directed to receive Mutation Appeal, if filed by the petitioner annexing the

certified copy of this judgment and to dispose of the same as per law.

7. As such, this writ petition filed by the petitioner is disposed of finally.

(A.C. Behera),
Judge

Orissa High Court, Cuttack
The 24th of October, 2025/ Jagabandhu, P.A.

Signature Not Verified
Digitally Signed
Signed by: JAGABANDHU BEHERA
Designation: Personal Assistant
Reason: Authentication
Location: OHC, CUTTACK
Date: 24-Oct-2025 17:11:35