IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). NO.9312 OF 2026

Patitapaban Behera .... ***Petitioner***

Mr. Samarendra Beura, Advocate

-versus-

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

Mr. Bibekananda Nayak,
Additional Government Advocate

CORAM:
JUSTICE K.R. MOHAPATRA
JUSTICE SANJAY KUMAR MISHRA

ORDER
07.04.2026

Order No.

1. 1. This matter is taken up through hybrid mode.

2. Petitioner in this writ petition prays for the following relief:

> *"In the above premises, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:-*
> *a. Issue an appropriate writ, order or direction declaring that the petitioner have permanent, heritable and transferrable rights over the agricultural lands in Para-05 owned by him and being a raiyat under Section-4(1)(f) & Section-6(1) of the OLR Act, 1960 having acquired the right, title and interest on transfer by sale in the said lands settled under a permanent agricultural lease under the lease principles; and*
> *b. Issue an appropriate writ, order or direction, more particularly a writ in the nature of certiorari quashing the ADM-cum-District Registrar, Cuttack letter No. 646/2025 (DSR) dated 09.04.2025 and other consequent letters issued thereupon particularly letters by the Sub- Registrar, Banki under Annexures 6 and 10 pertaining to registration of sale deeds for sale of agricultural lands of the petitioner in Para-05, being illegal and beyond the*

statutory mandate as provided under the Orissa Land Reforms Act, 1960 and the Registration Act, 1908; and

c. Issue an appropriate writ, order or direction, more particularly a writ in the nature mandamus directing the Sub-Registrar, Banki and the Tahasildar Damapada-cum-Ex-officio-Sub-Registrar,Damapada to forthwith register the presented Sale Deeds of the petitioner or return the same with valid refusal with reason being the only competent authority under the Registration Act, 1908; or

d. Pass such orders as this Hon'ble Court may deem fit and proper under facts and circumstances of the case, in the interest of justice.

AND FOR THIS ACT OF KINDNESS, THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY."

3. It is submitted by Mr. Beura, learned counsel for the Petitioner that although a sale deed is presented before the Sub-Registrar, Banki for registration, but, he has neither granted nor rejected registration of such sale deed.

4. In that view of the matter, this Court feels that the writ petition is premature.

5. At this stage, Mr. Beura, learned counsel for the Petitioner prays for withdrawal of the writ petition to avail the remedy when cause of action arises.

6. Accordingly, the writ petition is disposed of as withdrawn.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Kanhu

Signature Not Verified
Digitally Signed
Signed by: KANHU BEHERA
Designation: JUNIOR STENOGRAPHER
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 08-Apr-2026 18:53:53