IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13000 of 2025

Om Prakash Daga ***.....*** ***Petitioner***

Represented by

Mr.S.K.Sarangi, Sr. Adv

-versus-

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

Represented by
A.G.A.

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER

Order No. **10.4.2026.**

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

2. Heard learned counsel for the Petitioner and learned Addl. Government Advocate for the State.

3. The Petitioner has approached this Court with the following prayer;

> "*The petitioner, therefore, prayed that your Lordships shall graciously be pleased to admit this Writ Petition, issue Rule nisi calling upon the opposite parties to show cause:*
> *(a) As to why the order dated 10/12/2024 vide Annexure-2 passed by learned Tahasildar, Opp. Party No.3 shall not be quashed;*

(b) As to why the learned Tahasildar shall not be directed to allow the mutation property in favour of the petitioner, and of the
(c) And to pass such other order or orders as this Hon'ble Court deem fit and proper:
And on their failure to show cause or showing insufficient cause, this Hon'ble Court be pleased to make the said RULE absolute by way of issuance of appropriate Writ or Writs, order or orders in the facts and circumstances of the present case:
And for this act of your Lordships' kindness, the petitioners, as in duty bound, shall ever pray."

4. After considering the submissions made by the parties and taking note of the fact that the Addl. Tahasildar, Titlagarh rejected the Mutation Case by holding that the Petitioner is not in physical possession of the case land, but one Pratap Singh and others are in possession, which runs contrary to the judgment and decree passed in RFA No.110/32/34/12 of 2008-22 passed by learned Addl. District Judge, Titlagarh, the Writ Petition is disposed of by remitting the matter to the Addl. Tahasildar, Titlagarh to re-hear the Mutation Case No.1055/2024 by considering the judgment and decree passed in the aforementioned RFA and order dated 12.11.2015 passed by this Court in OJC No.7582/1999 and by granting opportunity of hearing to all necessary parties.

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

(Sashikanta Mishra)
Judge

Signature Not Verified
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Signed by: ASHOK KUMAR BEHERA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 10-Apr-2026 18:55:44