IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.14771 of 2024
CNR No. ODHC010400382024

Saroj Kumar Prusty ..... Petitioner

Represented by Adv. -
Prasanta Kumar Das

-versus-

Sub-Collector, Jagatsinghpur ..... Opposite Parties and others

Represented by Advocates-

Mr. S.S. Routray, ASC

Satyabadi Mantry for O.P. No.3

CORAM:
MR. JUSTICE SASHIKANTA MISHRA

ORDER
10.11.2026

Order No. 05

1. This matter is taken up through hybrid mode.

2. Heard Mr. P.K. Das, learned Counsel for the petitioner, Mr. S.S. Routray, Addl. Standing Counsel for the State and Mr. S. Mantry, learned counsel for opposite party No.3.

3. After hearing learned counsel for the parties, this Court finds that the petitioner essentially challenges the order dated 23.09.2022 passes in Misc. Appeal Nos. 04/2021, 05/2021 and 06/2021 by the Sub-Collector, Jagatsinghpur. These appeals, though registered as Misc. Appeals, but being directed against the orders passed by the Mutation Authority, are to be treated as Mutation Appeals.

4. Much has been argued before this Court as to the correctness of the order. The petitioner claims that the order is contrary to the judgments passed by the Civil Court as well as this Court and confirmed by the Supreme Court and the Consolidation Authorities.

5. Learned counsel for the private opposite party on the other hand submits that the order is entirely in consonance with the orders passed all by the Consolidation Authorities including the Revisional Court and therefore, does not warrant any interference.

6. Mr. S.N. Routray, learned State Counsel submits that the order passed by the Mutation Appellate Authority can be further challenged in Revision under Section 32 of the OSS Act.

7. Having regard to the submissions as above and in view of the fact that the impugned order can be challenged in revision, the writ petition is disposed of granting liberty to the petitioner to prefer revision before the appropriate authority within two weeks from today. If such revision is preferred along with application seeking condonation of delay, the same shall be considered liberally having regard to the fact that the petitioner, rightly or wrongly, had approached this Court in the present writ petition in 2024 and the matter remained pending till today. In so far as the previous period is concerned, it is for the petitioner to satisfy the Revisional Court as to the reasons for not challenging the impugned order earlier. The Revisional Court shall consider the matter after granting opportunity of hearing to all parties and pass a reasoned order within two months from the date of filing of the revision.

8. It is made clear that if any demarcation of the suit property relating to the present case has taken place, it shall abide by the final result of the revision.

9. Issue urgent certified copy as per Rules.

(Sashikanta Mishra)
Judge

A.K. Rana

Signature Not Verified
Digitally Signed
Signed by: AJAYA KUMAR RANA
Designation: P.A.
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 11-Nov-2026 11:12:30