IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.22665 of 2026
CNR No. ODHC010438072026

Subash Chandra Sethy ..... **Petitioner**

Represented by Adv.
Mr. Raghunath Das
Mohapatra

-versus-

Collector, Nayagarh and others ..... **Opposite Parties**

Represented by Adv.

Mr. G. Mohanty,
Standing Counsel

CORAM:
MR. JUSTICE SASHIKANTA MISHRA

ORDER
12.11.2026

Order No. 01

1. This matter is taken up through hybrid mode.

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

3. The petitioner has approached this Court with the following prayer:

> *"It is therefore prayed that let this Hon'ble Court may graciously be pleased to admit the writ Petition issue notice to the opposite party and call the LCR and after hearing the council for the parties allow the Writ Petition by setting aside the order dated 26.08.2024 under ANNEXURE- 5.*
>
> *AND*
>
> *Further be pleased to direct the Tahasildar, Ranpur Opp. Party No.3 to issue R.O.R in favour of petitioners.*
>
> *AND*

And any other or further order (s) may kindly be passed which will serve the best interest of justice."

AND

For which act of kindness the petitioners shall as duty bound shall ever pray and belief.

4. After hearing learned counsel for the parties and on going through the order sheet of the mutation case in question, this Court finds that on 17.08.2022 the Revenue Inspector passed the following order:-

> *"This case is put up today for hearing after the stipulated objection period is over. Individual notices have been duly served and General notice has been duly published in the locality and SR back. No objection has been received from any quarter during the stipulated period. The applicant is personally present. He submitted the order sheet of the Court of the Commissioner, Consolidation and Settlement Odisha, Bhubaneswar. As the case record related to Court of the Commissioner, Consolidation and Settlement Odisha, Bhubaneswar. Hence, the case is contested in nature. Sent the case record to the Tahasildar, Ranpur for taking further action."*

5. On the next date however, i.e., on 26.08.2024 the applicant being absent, the Tahasildar rejected the case.

6. Mr. Dasmohapatra, learned counsel for the petitioner submits that his client never received any notice and being a rustic villager he was not aware of the next date of posting of the case and hence, he could not appear. It is further submitted that since the report of the R.I. is in his favour, the Tahasildar ought to have taken the same into consideration without rejecting the case on the technical ground of non-appearance.

7. Considering the submissions, the writ application is disposed of by setting aside the order dated 26.08.2024 and by directing the

Tahasildar, Ranpur to re-hear the Mutation Case No.2158 of 2022 after hearing the petitioner and taking note of all available materials including the report of the R.I., which is already on record.

8. For convenience, the petitioner is directed to appear before the Tahasildar on 27th November, 2026 for fixing further date of hearing. The mutation case shall be disposed of within four weeks from the date of appearance.

(Sashikanta Mishra)
Judge

B.C. Tudu

Signature Not Verified
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Signed by: BHIGAL CHANDRA TUDU
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 13-Nov-2026 16:00:36