IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1542 of 2026

CNR No. ODHC010677412026

Bata Krishna Swain .... ***Petitioner(s)***

Mr. Brahmananda Tripathy, Advocate

-versus-

Sub-Collector, Cuttack and others .... ***Opposite Party(s)***

Mr. Raj Bhusan Dash, ASC

CORAM: JUSTICE SIBO SANKAR MISHRA

ORDER
28.10.2026

Order No.

02. **1.** Heard.

2. The petitioner by invoking the jurisdiction of this Court under Article 226 and 227 of the Constitution of India has sought the following relief:-

> "It is therefore respectfully prayed that this Hon'ble Court may graciously be pleased to admit the CRL.M.P., issue notice to the opposite parties, inviting show-cause as to why the proceeding filed before them vide Annexure-2 shall not be set to motion and as to why the right of the petitioner over the case land shall not be protected under Section-163(1) BNSS, 2023, if the opposite parties failed to show-cause or show insufficient cause, the CRL.M.P. may be allowed after hearing thereby directing the said authorities to conclude the proceeding under Section-163(1) BNSS, 2023 vide Annexure-2 & Annexure-3 as per law without any delay and within the time fixed by this Hon'ble Court."

3. When the matter was taken up for hearing on 09.10.2026, learned counsel for the petitioner submitted that, despite the proceeding under Section

163(1) of B.N.S.S., 2023, having been initiated on 01.06.2026, the case is not proceeding at an expected pace. He has also filed an additional affidavit, inter alia, stating that the opposite party No.1 has sought for a report from the Tahasildar, Niali, and the Inspector-in-charge of Niali Police Station; however, due to non-submission of the report, the proceeding under Section 163(1) of B.N.S.S., 2023, has not yet been concluded. Hence, the petitioner seeks a direction to the opposite party No.1 for expeditious conclusion of the proceeding.

4. At the instance of the petitioner, the proceeding under Section 163(1) of B.N.S.S., 2023, was initiated on 01.06.2026, and the opposite party No.1 should have concluded the proceeding expeditiously by addressing the grievance of the petitioner. Be that as it may, since about four months have already elapsed, it is expected that the opposite party No.1 shall do well to see that the pending proceeding under Section 163(1) of B.N.S.S., 2023, is concluded as expeditiously as possible.

5. With this observation, the CRLMP is disposed of.

(S.S. Mishra)
Judge

Signature Not Verified
Digitally Signed
Signed by: SWARNAPRAVA DASH
Designation: Senior Stenographer
Reason: Authentication
Location: High Court of Orissa
Date: 30-Oct-2026 18:29:12