IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.31717 of 2026
ODHC010750722026

Rashmi Bala Swain ..... Petitioner

Represented by Adv. –
Mr. A. Tripathy

-Versus-

State of Odisha and Another ..... Opposite Parties

Represented by Adv.
–Mr. G. Mohanty, SC

CORAM:
MR. JUSTICE SASHIKANTA MISHRA

ORDER
30.10.2026

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:-

> *"On the aforesaid premises, it is therefore, humbly prayed that this Hon'ble Court be pleased to;*
> *i) hold and declare that the impugned unilateral initiation of suo-moto Mutation Misc. Case No.5718/2025 and orders passed thereon based on inapplicable Govt. RDM Dept. letters dt.02.07.2025 under Annexure-4 and the impugned change of Status of petitioner's plot in question from "Stitiban status" to "Pattadar" in Annexure-6 was bad and illegal and ab-initio void being contrary to law settled by this Hon'ble court in the case of Kunjalata Rout and Ors -v- State and Ors and Gargi Das vs. State of Odisha & ors. & batch (supra) and also violative of the mandatory principles of natural justice and thereby;*
> *ii) quash the impugned unilateral initiation of suo- moto Mutation Misc. Case No.5718/2025 and orders passed thereon with direction to the OP.No.2 to forthwith correct the ROR of petitioner's Plot No. 1684 in Khata No.725/4055, Mouza: Kalarahanga and to prepare the same under "Stitiban status" in terms of and in*

accordance with the Judgment in the case of Kunjalata Rout and Ors -v- State and Ors and Gargi Das vs. State of Odisha & Ors. & batch (supra) referred to above within a stipulated period; and

iii) pass such other order(s) as deemed fit and proper in the bonafide interest of justice;

And for which act of your kindness, the petitioner shall as in duty bound, ever pray."

3. It is stated at the bar that the case of the petitioner is covered by the judgment rendered by this Court recently in the case of ***Gargi Dash v. State of Odisha & Others*** [1] and Batch.

4. Considering the submissions as above, the Writ Petition is disposed of directing the Tahasildar, Bhubaneswar to consider the prayer of the petitioner in light of the aforementioned judgment of this Court. A decision in this regard shall be taken within six weeks from the date of production of certified copy of this order by the petitioner.

(Sashikanta Mishra)
Judge

Puspanjali

Signature Not Verified
Digitally Signed
Signed by: PUSPANJALI GHADAI
Designation: JUNIOR STENOGRAPHER
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 30-Oct-2026 15:51:51

[1] 2026 (II) OLR 368