IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.34376 of 2026
CNR No. ODHC010812682026

Raman Education Society, Bhubaneswar ..... ***Petitioner***

Represented by Sr. Adv. B.Routray with Mr. S. Routray, Adv.

-versus-

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

Represented by Adv. Mr. S.N.Pattnaik, A.G.A.

CORAM:
MR. JUSTICE SASHIKANTA MISHRA

ORDER
27.10.2026

Order No. 1

1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner and learned Additional Government Advocate for the State.

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

> *It is therefore, most humbly prayed that this Hon'ble Court be graciously pleased to;*
> *i) Admit the Writ Petition;*
> *ii) Call for the records;*
> *iii) Issue a writ in the nature of mandamus or any other writ/writs, direction/directions by recalling/reviewing the order dtd.28.09.2026 passed in W.P.(C). No. 30473 of 2026 or in the alternative the petitioner institution may be given an opportunity of hearing before taking any action pursuant to the order dated 28.09.2026 passed in W.P.(C). No. 30473 of 2026.*

iv) And pass any other order/orders, direction/directions this Hon'ble Court may deem fit and proper for the ends of justice under the facts and circumstances of the case.
And for the said act of kindness, the petitioner as in duty bound shall ever pray."

4. It is submitted that the petitioner entered into an agreement for sale of land with the lawful owner, namely, Smt. Pritilata Parida on 02.12.2024. For some reason, the sale agreement was not given effect to for which the petitioner filed a suit for specific performance and other incidental reliefs before the Court of First Additional Senior Civil Judge, Bhubaneswar being C.S. No. 849 of 2026. The said suit is pending.

5. In the meantime, the petitioner has come to learn that the proposed seller approached this Court in W.P.(C). No. 30473 of 2026, seeking a direction to the Sub-Registrar to accept the sale deed presented by her for registration. Accordingly, this Court passed the following order:

" 1. The matter is taken up through hybrid mode.
2. The petitioner is aggrieved by the alleged refusal of the registering authority to accept the sale deed proposed to be submitted by him for registration. No reason has been indicated. In fact, the document itself appears to have not been accepted.
3. This Court has time and again held that the registering authority being a functionary under the statute cannot refuse to accept a document submitted for registration, though the decision whether to register it or not can be taken by him in accordance with law.
4. In such view of the matter, the Writ Petition is disposed of directing the Sub-Registrar, Jatani to accept the sale deed proposed to be submitted by the petitioner and consider the same in accordance with law.

6. It is submitted by Mr. B.Routray, learned Senior counsel appearing for the petitioner that taking advantage of the aforesaid

order, the seller has managed to execute a sale deed relating to the very same land which is involved in the civil suit.

7. It is further submitted that the seller is also attempting to sell the remaining portion of the land by taking advantage of the aforesaid order.

8. After hearing learned counsel for the parties, this Court is of the view that since the sale deed has already been executed, the validity of the same can be tested in the proper forum. Insofar as any future sale is intended and sought to be registered in respect of the other portion of the suit land, the petitioner deserves to be given an opportunity of hearing by the registering authority.

9. In such view of the matter, the writ application is disposed of directing the Sub-Registrar, Jatani to grant opportunity of hearing to the petitioner in case any sale deed is presented by the owner of the land in favour of any other person.

10. This Court makes it clear that it has not expressed any opinion on the merits of the case.

(Sashikanta Mishra)
Judge

Deepak

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