IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35309 of 2026

CNR No.ODHC010837872026

Radheshyam Kumbhar …. ***Petitioner***

Mr. Pabitra Kumar Nayak, Advocate

-versus-

State of Odisha & Ors. …. ***Opp. Parties***

Mr. Sanjay Rath, AGA

CORAM:
THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER
09.11.2026

Order No.

01. 1. Heard learned counsel for both the Parties.

2. Challenge in this Writ Petition is to the arbitrariness of the authority in refusing to entertain the document for registration for want of a permission of Sub-Collector, Sadar, Sambalpur under Section 22 of the Orissa Land Reforms Act, 1960 (hereinafter referred to as "OLR Act").

3. In course of the hearing in the application, it is ascertained that the Petitioner though moved his application before the appropriate authority, the same was not accepted. He however, failed to substantiate his submission showing any proof as to the submission of the application in online mode, as normally, to be followed for the purpose of registration. There is also no material to show that the Petitioner had been allotted slot for the purpose of registration of the sale deed.

4. Be that as it may, learned counsel for the Petitioner further submitted that the Co-ordinate Bench of this Court, in W.P.(C) No.27920 of 2023, in the matter of ***Hemanta Naik & Others v. State of Odisha & Others*** (and analogous matters), directed the Parties, while granting liberty to approach the Competent Revenue Authority, i.e., the concerned Tahasildar, to give an opinion on the usability of the land. The said order is reproduced as under:-

> *"18. In the result this court disposes of all the writ petitions granting liberty to each Petitioner to approach the competent Revenue Authority, i.e. concerned Tahasildar to give his opinion on the usability of the land and in such event the concerned Tahasildar is directed to give his opinion in respect of each specific land of respective Petitioners regarding its usability for agricultural purpose any more in the present scenario, within a period of 60 days from the date of application. Depending upon the opinion of the Revenue Authority, the Petitioners are at liberty to approach the registering officer again."*

5. In view of the above, since the prayer of the Petitioner is in similar footing as that of the above Writ Petition and analogous matters, there is no fetter on the part of this Court in granting liberty to approach the Competent Authority, i.e., the Tahasildar, Sadar Sambalpur, (Opposite Party No.2).

6. The Petitioner shall file a certified copy of this order and the aforementioned judgment before the Opposite Party No.2, who shall consider the grievance of the Petitioner in light of ***Hemanta Naik*** (Supra) within six (06) weeks from the date of the communication of this order. Depending upon the opinion of the Competent Authority, the Petitioner shall be at liberty to approach the Registering Officer, who shall consider the Petitioner's case in accordance with law within three (03) weeks thereafter.

7. In view of the above observation, the Writ Petition is disposed of.

(Chittaranjan Dash)
Judge

Priyanka

Signature Not Verified
Digitally Signed
Signed by: PRIYANKA BARIK
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 11-Nov-2026 13:29:00