IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36400 of 2026

CNR No.ODHC010859202026

Bhubaneswar Dharua and Another .... ***Petitioners***

Mr. A. Rath, Advocate

-versus-

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

Ms. B. Dash, ASC

CORAM:
THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

Order No. **09.11.2026**

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

2. This matter was not listed in the cause list, and on being specially mentioned, was taken on board.

3. 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").

4. In course of the hearing in the application, it is ascertained that the Petitioners though moved their applications before the appropriate authority, the same were not accepted. They however, failed to substantiate their submission showing any proof as to the submission of the applications in online mode, as normally, to be followed for the purpose of registration.

5. Be that as it may, learned counsel for the Petitioners 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."*

6. In view of the above, since the prayer of the Petitioners 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, Sambalpur, (Opposite Party No.3).

7. The Petitioners shall file a certified copy of this order and the aforementioned judgment before the Opposite Party No.3, who shall consider the grievance of the Petitioners 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 Petitioners 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.

8. The Writ Petition is accordingly disposed of.

(Chittaranjan Dash)
Judge

Sarbani

Signature Not Verified
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Signed by: SARBANI DASH
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 10-Nov-2026 12:34:25