IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 1623 of 2025

Basanti Mohapatra And Ors	`….	***Petitioners*** *Represented by Mr. S.Mohanty, Advocate*
	-Versus -	
Additional Commissioner, Additional Revision Court-IV, Odisha, BBSR & Ors	….	***Opposite Parties*** *Represented by*
		Mr. S.N.Pattnaik, AGA

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
08.04.2026

Order No.
04.

1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner and learned State counsel for the State.

3. Order dated 05.07.2024 passed by the Additional Commissioner, Additional Revision Court-IV, Bhubaneswar in OSS Case No. 682/2022 is impugned in the present writ application. It appears that said order was passed on the basis of an earlier order passed by the Member, Board of Revenue in OEA Revision Case No. 5/2013 under Section 38(B) of the Odisha Estates Abolish Act, 1951.

4. Mr. Mohanty, learned counsel for the petitioner draws

attention of this Court to the order dated 05.11.2024 passed by a division Bench of this Court in the case of ***Krushna Chandra Mohapatra vrs State of Odisha*** (W.P.(C). No. 16645 of 2024) whereby the aforementioned order of the Member, Board of Revenue was set aside on several grounds. Since the order on the basis of which the impugned order was passed has been interfered with by a division Bench of this Court and as the petitioner claims that he was not granted an opportunity of hearing, this Court is of the view that the matter needs a relook in the changed circumstances.

5. The writ application is therefore, allowed. The impugned order is set aside. The matter is remitted to the Additional Commissioner for disposal of the OSS Case No. 682 of 2022 afresh on merits after granting proper opportunity of hearing to the petitioner and other necessary parties and taking note of the judgment of the division Bench of this Court in the case of ***Krushna Chandra Mohapatra*** (supra).

(Sashikanta Mishra)
Judge

Deepak

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