

(2026) 03 OHC CK 1073

In the Orissa High Court

Case No : Writ Petition (C) No. 26822 Of 2025

Pravat Nalini Mohapatra

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 20-03-2026

Acts Referred:

Citation : (2026) 03 OHC CK 1073

Hon'ble Judges : Chittaranjan Dash, J

Bench : Single Bench

Advocate : S. K. Sarangi, Saroj Kumar Jee

Final Decision : Disposed Of

Judgement

Chittaranjan Dash, J

1. Heard learned counsel for the parties.

2. By means of this application, the Petitioner seeks the following relief:

"The petitioner, therefore, prays that your Lordships shall graciously be pleased to admit this Writ petition, issue Rule nisi calling upon the opposite parties to show cause:

(a) As to why the order of the learned Additional Commissioner vide Annexure 3 shall not be quashed.

(b) As to why the ROR recording the scheduled property as abadajogya anabadi shall not be quashed; and

(c) As to why the petitioner shall not be declared as the lawful owner of the said property and

(d) And to pass such other order or orders as this Hon'ble Court deem fit and proper:

And on their failure to show cause or showing insufficient cause this Hon'ble

Court be pleased to make the said RULE absolute by way of issue of appropriate Writ or Writs, order or Orders in the facts and circumstances of the present case:"

3. Learned Senior Advocate appearing for the Petitioner drew the attention of this Court to the order dated 18.02.2025, particularly the observation made by the Additional Commissioner at page-22 of the impugned order, wherein it has been held as follows:

"In view of the foregoing examination of the record, it is clear that the Petitioner does not have a valid flow of title over the suit land. I do not find any infirmity in the order of the Assistant Settlement Officer in recording the suit land under the Government khata.

The revision petition is dismissed on merit as not maintainable."

4. Mr. Sarangi, learned Senior Advocate, very fairly submitted that the dispute involved requires fresh adjudication before the appropriate authority, i.e., the Court of the Tahasildar, and therefore, liberty may be granted to the Petitioner to approach Opposite Party No.3 for initiation of appropriate proceedings in accordance with law.

5. The aforesaid submission is accepted. Accordingly, liberty is granted to the Petitioner to approach Opposite Party No.3-Tahasildar in accordance with law. As submitted, the Petitioner shall approach Opposite Party No.3 within a period of fifteen days and, if such an application is filed, the concerned authority shall dispose of the same within an outer limit of three months from the date of production of a certified copy of this order.

6. With the aforesaid observation, the writ petition stands disposed of.