



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 2043 of 2025

Gethal Bhoi

`....

Petitioner

Represented by

Mr. B.Bhuyan, Senior Advocate

-Versus -

State of Odisha and Ors

....

Opposite Parties

Represented by

Ms. J.Sahoo, ASC

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

23.03.2026

Order No.

02.

1. This matter is taken up through hybrid mode.
2. The petitioner has approached this Court with the following prayer:

In the facts and circumstances narrated above and in the interest of justice, it is therefore, prayed that this Hon'ble Court would be graciously pleased to-

1) Issue Rule NISI calling upon the Opp.Party to show cause as to why an appropriate writ in the nature of certiorari/mandamus/or any appropriate writ/writs or order/orders or direction shall not be passed by declaring that Section-22 of the OLR Act is not applicable to Gharabari Land belongs to Schedule Caste and Schedule Tribe people situated within the Urban area.

2) Issue further Rule NISI calling upon the Opp.Parties to show cause as to why an appropriate writ in the nature of mandamus/certiorari and/or any other appropriate writ/writs or order/orders and/or direction shall not be passed to publish necessary notification to exclude Gharabari land of SC/ST from OLR Act in the Urban area.



If the Opposite Parties fails to show cause or show insufficient cause, make the aforesaid rule Nisi absolute.

And may further be pleased to pass any other order(s)/direction (s) as this Hon'ble Court deem fit and proper in the facts and circumstances of the case;

And for which act of kindness the petitioner shall as in duty bound ever pray.

3. It is submitted by the petitioner that his case is squarely covered by the ratio decided in the case of ***Hemanta Naik vrs. State of Odisha*** in W.P.(C). No. 27920 of 2023 and batch wherein a coordinate Bench of this Court held as follows:

“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.”

4. Since the petitioner's prayer is similar to the grievance of the petitioners in the batch of writ applications, the present writ application is disposed of directing the Tahasildar, Sadar Sambalpur to consider the grievance of the petitioner in light of the judgment passed in ***Hemanta Naik (supra)*** within two months from today. The petitioner shall file a certified copy of this order and the aforementioned judgment before the Tahasildar.

(Sashikanta Mishra)
Judge

Deepak