



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4024 of 2026

Tapan Kumar Baral ***Petitioner***

Mr. Soubhagya Kumar Rath, Advocate

-versus-

Sub-Collector, Bhubaneswar ***Opposite Parties***
& ors.

Mr. Siba Narayan Biswal, ASC

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

24.03.2026

Order No.

W.P.(C) No.4024 of 2026 & I.A. No.5696 of 2026

01.

This matter is taken up through hybrid mode.

2. Though no I.A. is on board, learned Counsel for the Petitioner submits, I.A. No.5696 of 2026 has been filed today through e-filing after serving copy thereof on State. However, he files original hard copy of the said I.A. in the Court, which is taken on record.

3. Heard learned Counsel for the Petitioner so also Mr. Biswal, learned ASC, who accepts notice on behalf of Opposite Party Nos.1 to 3 and admits to have received copy of the writ petition so also I.A. No.5696 of 2026, which is filed today through e-filing.

4. Issue notice on admission and stay to the Opposite Party Nos.4 to 8 by Speed Post with A.D. fixing a short returnable date. Requisites be filed by 26th March, 2026.



- 5.** Since the allegation is inaction of the Sub-Collector, Bhubaneswar (Opposite Party No.1) to deal with and dispose of Mutation Appeal No.337 of 2025 so also Mutation Appeal No.338 of 2025 on the plea of alleged Civil Court decree in C.S. No.1801 of 2023 passed in a National Lok Adalat, learned Counsel for the State is directed to take instruction in the said regard and file Counter Affidavit, if so required, before the next date of listing.
- 6.** The matter be listed in the week commencing from 27th April, 2026 before the regular Bench having assignment along with tracking report regarding service of notice on the Opposite Party Nos.4 to 8.
- 7.** In view of the specific averments made in the writ petition and the supporting documents annexed thereto, including order dated 09.09.2023 passed in C.S. No.1801 of 2023, vide which the learned Civil Court unconditionally allowed the Petition for withdrawal of the C.S. No.1801 of 2023 and disposed of the said Suit as withdrawn, it is made clear that pendency of the writ petition shall not be a bar for the Sub-Collector, Bhubaneswar (Opposite Party No.1) to deal with and dispose of Mutation Appeal No.337 of 2025 so also Mutation Appeal No.338 of 2025 in accordance with law, if the same are still pending.
- 8.** As an interim measure, it is directed to maintain status quo with regard to schedule property, as detailed in the I.A., till the next date.



9. Learned Counsel for the State is at liberty to utilize the digitally signed copy of this order, available in the website of this Court, for the purpose of communicating the same to the Sub-Collector, Bhubaneswar (Opposite Party No.1) and taking instruction to file Counter Affidavit, if so required.

10. Urgent certified copy of this order be granted on proper application as per rules.

(S. K. MISHRA)
JUDGE