



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 5784 of 2026

Biswa Ranjan Seth

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Petitioner

Represented by

Mr. K.A. Guru, Advocate

-Versus -

***State of Odisha and
Ors***

....

Opposite Parties

Represented by

Mrs. U.S.Padhi,

Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

27.02.2026

Order No.

01.

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

“It is therefore, prayed that this Hon'ble Court may graciously be pleased to:

ISSUE RULE NISI calling upon the opposite party as why writ in the nature of mandamus/certiorari and/or any other appropriate writ/writs or order/orders and/or direction shall not be pass 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. If the Opposite Parties fails to show cause or shows inadequate or false cause, make the aforesaid rule nisi absolute.

And/or order/orders as the Hon'ble Court may deem just and proper in order to provide the Petitioner Complete Relief.

And for their act of kindness, the petitioner shall as in duty bound, remain 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 vs. 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 petitioner in the batch of writ applications, the present writ application is disposed of directing the Tahasildar, Maneswar 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

AKB