



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**W.P.(C). No.5863 of 2026**

***Rajendra Prasad Mohanty***

.... ***Petitioner***  
***Mr. B.N. Bhol, Advocate***

-versus-

***State of Odisha & others***

.... ***Opposite Parties***  
***Mr. Sanjay Rath, AGA***

**CORAM:**  
**HON'BLE MR. JUSTICE MURAHARI SRI RAMAN**

**Order No.**  
**01.**

**ORDER**  
**09.04.2026**

*I.* It is submitted by Sri B.N. Bhol, learned counsel appearing for the petitioner that without calling for proper records to verify the nexus of the petitioner with the alleged fraudulent activity in possessing the property in question, the Assistant Settlement Officer, Rental Colony, Bhubaneswar, opposite party no.3 as if sitting in appeal against the order of his predecessor, passed an adverse order on 09.05.2013, which is confirmed by the learned Additional Commissioner, Additional Revision Court-I, Odisha, Bhubaneswar in OSS Case No.380 of 2017.

*I.1.* It is further submitted that pursuant to notice in Objection Case No.8673/207/2012 fixing date to 09.05.2013 for hearing, the petitioner appeared and furnished documents during settlement operation. But, on an erroneous appreciation of fact and ignoring such documents, the land in question has been recorded in the Government khata.

*I.2.* It is also submitted by the learned counsel for the petitioner that the Assistant Settlement Officer has no jurisdiction.



2. Mr. Sanjay Rath, learned Additional Government Advocate appearing for the State submitted that against the impugned order, remedy of revision under Section 15(b) of the Odisha Survey and Settlement Act, 1958 is available for the petitioner.
3. Though such submission has been advanced by the learned Additional Government Advocate appearing for the State, since the question of jurisdiction of the Assistant Settlement Officer is raised by Sri B.N. Bhol, learned counsel appearing for the petitioner, keeping the point of maintainability of this writ petition open for argument at the final stage of hearing, issue notice to the opposite parties.
4. Mr. Sanjay Rath, learned Additional Government Advocate appears and waives service of notice on behalf of opposite parties. He seeks an accommodation to obtain instruction in the matter.
5. List this matter in the week commencing 04.05.2026.

**(M.S. Raman)**  
**Judge**