



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 11506 of 2026

Gajendra Das & Ors

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Petitioners

***Represented by
Mr. S.B.Das, Advocate***

-Versus -

State of Odisha & Ors

....

Opposite Parties

***Represented by
Mr. S.N.Pattnaik,
AGA***

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

04.05.2026

**Order No.
01.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioners and learned Additional Government Advocate for the State.
3. The petitioners have approached this Court with the following prayer:

“ It is therefore, prayed that Your Lordships would be graciously pleased to admit this writ application call for the records and issue a rule-nisi, asking the Opposite Parties to show cause as to why the erroneous demarcation in Demarcation Case No. 144/ 2026 and fixation of so many pillars on 05.03.2026 in front of the Baunshaanta Bada Village ‘Hingula Anusthan’, point out that the same pillars are the end of Plot No. 1003 of Barlangi Mouza, by taking the measurement whimsically from the two mischievously shifted Mustakil Chand stones of the village, without referring to Chief Survey Officer or Settlement Officer or not taking measurement from other ‘Mustakilchands’ Stones of both villages or their side villages, ignoring Petitioners’ appeal dt. 05.03.2026, shall not be quashed/ set aside and if the Opposite Parties fail to show cause or show insufficient cause, make the said rule absolute



*and issue a writ of mandamus or certiorari or any other appropriate order or direction for re-fixation of displaced Mustakilchands by the Opposite Party No.2 for taking measurements in demarcation cases of the both villages by Opposite Party No.5;
And for this act of kindness, petitioners shall as in duty bound ever pray.”*

4. The petitioners are the villagers of Baunshaanta Bada under Rasulpur in the district of Jajpur. It is submitted that pursuant to order passed by a coordinate Bench of this Court in W.P.(C). No. 29654 of 2025 demarcation over certain land was conducted but according to the petitioners, the same resulted in erroneous demarcation of the boundary of the village. Accordingly, some action has been taken by the concerned villagers by affixing boundary poles.

5. This is a purely factual aspect to be considered by the field authorities. In any case, since the dispute relates to erroneous depiction of the village boundary, this Court deems it proper to relegate the petitioners to the jurisdiction of the Collector.

6. The writ application is disposed of directing the petitioners to submit a detailed representation before the Collector, Jajpur within two weeks from today. If such representation is submitted, the Collector shall dispose of the same in accordance with law, after granting opportunity of hearing to the petitioners as well as other necessary parties who he may consider necessary. A decision in this regard shall be taken within a period of four weeks thereafter.

(Sashikanta Mishra)
Judge