



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 12676 of 2025

Shaheen Ali

....

Petitioner

Mr. Sourya Sundar Das, Senior Advocate
being assisted by Ms. Shalaka Das, Advocate

-versus-

State of Odisha and Another

....

Opp. Parties

Mr. Sabita Ranjan Pattnaik, A.G.A.

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SAVITRI RATHO

ORDER

08.09.2025

Order No.

- 05.
1. This matter is taken up through hybrid mode.
 2. It is submitted by Mr. Sabita Ranjan Pattnaik, learned Additional Government Advocate that counter affidavit has already been filed, but the same is not available in the case record. Copy of the same is served on Ms. Shalaka Das, learned counsel for the Petitioner in Court today.
 3. In course of argument, a copy of the notification issued by the General Administration Department, Government of Orissa on 1st May, 1998 is placed on record.
 4. On perusal of the said notification, it prima facie appears that consent fee for transfer of the lease hold property was leviable pursuant to a Cabinet decision dated 11th March, 1970, but the same is not clear. The lease hold property was transferred in the year 1974.
 5. It is not clear if consent fee has been charged at the time of transfer of the lease hold property in favour of the Petitioner.



6. Thus, the following questions arise - (i) as to whether there was any consent fee was leviable on the date of transfer of the lease hold property to the Petitioner?

(ii) Whether any consent fee was levied on such transfer?

(iii) If no consent fee was charged on the date of transfer but was leviable on such transfer, whether the same can be recovered at the time of making an application for conversion of the land from leasehold to freehold?

7. Mr. Sourya Sundar Das, learned Senior Counsel appearing for the Petitioner prays for an adjournment to address the Court on the same.

8. Put up this matter on 14th October, 2025.

(K.R. Mohapatra)
Judge

(Savitri Ratho)
Judge

Sukanta