



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28275 of 2025

Bimal @ Bimalkanta Patri ***Petitioner***
Mr. A.K. Sahoo, Advocate

-versus-

District Registration Officer, ***Opp.***
Kendrapara & others ***Parties***
Mr. Saroj Kumar Jee, AGA

CORAM:

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

31.03.2026

Order No.

01. 1. Heard learned counsel for the Parties.
2. By means of this application, the Petitioner is seeking relief, inter alia, issuance of direction to the Opposite Party No.1 i.e. District Registration Officer not to permit sale or alienation in any manner of the case land involved in Civil Suit No. 406 of 2018 by Opposite Party Nos. 2 to 5 till disposal of the said Civil Suit, along with consequential reliefs.
3. The background facts of the case, in brief, are that the father of the Petitioner, namely late Jayanta Patri, had instituted Civil Suit bearing C.S. No. 406 of 2018 before the Court of the learned Senior Civil Judge, Kendrapara seeking partition of the joint family property and permanent injunction restraining the



Opposite Parties from alienating or altering the nature and character of the suit land. Along with the said suit, an application for interim injunction being I.A. No. 377 of 2018 was filed. The learned Civil Court, upon hearing the parties, by order dated 20.08.2019 directed both sides to maintain status quo in respect of the suit land (except certain specified *Khatas*) till disposal of the suit. Subsequently, upon the death of the original plaintiff on 17.08.2020, the present Petitioner along with his mother was substituted in the said suit. It is the case of the Petitioner that despite the subsistence of the aforesaid order of status quo, Opposite Party Nos.2 and 3 have been attempting to alienate the suit property. On coming to know of such attempts, the Petitioner submitted a representation dated 03.05.2024 before the Opposite Party No.1, requesting that no sale deed in respect of the suit property be registered and enclosing therewith the order of status quo. However, the said representation was not acted upon, and the authority is alleged to have permitted or is permitting registration of documents in respect of the disputed land. In the aforesaid circumstances, being aggrieved by the inaction and conduct of the Opposite Parties in permitting alienation of the suit property in violation of the subsisting judicial order, the Petitioner has preferred the present writ application seeking appropriate reliefs.



4. Learned counsel for the Petitioner drew attention of this Court to the order dated 16.02.2023 passed by the Co-ordinate Bench in W.P.(C) No. 20510 of 2022, wherein one Bhagyalipi Patri, a co-plaintiff in C.S. No. 406 of 2018, had approached this Court raising an identical grievance with regard to apprehended alienation of the self-same suit property.

5. Upon consideration of the rival submissions, the Co-ordinate Bench found that no sale deed had been presented before the Registering Authority and that the apprehension was premature. Nonetheless, it disposed of the writ petition with a direction that, if any sale deed is presented for registration, notice shall be issued to the Petitioner and an opportunity of hearing be afforded before registration. The facts of the present case being substantially similar and arising from the same suit proceeding, this Court finds the said decision to be squarely applicable, there being no distinguishing feature warranting a different view.

6. Accordingly, following the aforesaid decision, the present writ application is disposed of with a similar observation that in the event any sale deed in respect of the subject land involved in C.S. No. 406 of 2018 is presented before the Opp. Party No.1-District Registration Officer, Kendrapara for registration,



he shall issue notice to the Petitioner and afford an opportunity of hearing before taking any decision in the matter.

7. With the aforesaid observation and direction, the Writ Petition stands disposed of.

(Chittaranjan Dash)
Judge

Bijay