



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No. 29335 of 2025

Sanjay Dharua

....

Petitioner

Represented by  
Mr. S.K. Panda, Advocate

-Versus -

State of Odisha and Ors.

....

Opposite Parties

Represented by  
Mr. A.R. Dash, AGA

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

24.03.2026

Order No.

01.

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

*“Therefore it is prayed that this Honourable court be pleased enough to issue Rule NISI calling upon the Opp. Parties to show cause as to why an appropriate writ in the nature of certiorari/mandamus/ or any other appropriate writ/writs or order/orders or direction shall not be passed by declaring, Section-22 of the OLR Act is not applicable to Gharabari Land belonging to Schedule Caste and Schedule Tribe people situated within the Urban area.*

*AND*

*Further issue Rule NISI calling upon the Opp. Parties to show cause as to why an appropriate writ in the nature of certiorari/mandamus/ or any other appropriate writ/writs or order/orders or direction shall not be passed to publish necessary notifications to exclude Gharabari land of SC/ST from OLR Act in the urban areas.*

*AND*

*If the Opp. Parties fail to show cause or show insufficient cause, make the aforesaid rule nisi absolute.*

*AND*

*Pass any other order or order, direction(s) as may deem just and proper;”*



3. It is submitted by the petitioner that his case is squarely covered by the ratio decided in the case of **Hemanta Naik vrs. 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 The Tahasildar, Sadar, Sambalpur 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**

*A.K. Rana*