



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 28405 of 2025

Sunil Kumar Agarwal

....

Petitioner

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

-Versus -

State of Odisha and Others

....

Opp. Parties

*Represented by
Mr. A.R. Dash, AGA
Mr. T.K. Mishra, Advocate
(for O.P.No.4)*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

05.05.2026

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard Mr. B.S. Panigrahi, learned counsel for the petitioner, Mr. A.R. Dash, learned Addl. Government Advocate for the State and Mr. T.K. Mishra, learned counsel who has entered appearance suo motu for opposite party No.4.
3. The petitioner has approached this Court with the following prayer:-

“it is, therefore, prayed that your Lordships may graciously be pleased to admit the writ petition, call for the records, issue Rule NISI in the nature of Writ of Certiorari/Mandamus calling upon the opposite parties to show cause as to why the impugned order dated 11.02.2025 passed by the learned Tahasildar, Baripada/O.P.No. 2 in Misc. Case No. 11/2-25 vide Annexure-5 shall not be set aside/quashed and the ROR in respect of the land in question shall not be maintained in the name of the petitioner on the basis of



his purchase by the Sale Deeds vide Annexure-1 series.

In the event the opp. parties fail to show cause or show insufficient cause the said Rule be made absolute, the impugned order dated 11.02.2025 passed by the learned Tahasildar, Baripada/O.P. No.2 in Misc. Case No. 11/2025 vide Annexure-5 be set aside/quashed and further the ROR in respect of the land in question be maintained in the name of the petitioner on the basis of his purchase by the Sale Deeds vide Annexure-1 series.

And may pass such other order/orders, direction/directions, writ/writs as deem fit and proper;

And for this act of kindness, the petitioner shall as in duty bound remain ever pray.”

4. It is submitted that no notice was issued by the Tahasildar before disposing of the application for mutation.
5. Learned State Counsel as well as Mr. Mishra, learned counsel appearing for the private opposite party do not dispute this position.
6. Considering the fact that the impugned order was passed without granting any opportunity of hearing to the petitioner or other necessary parties, the same cannot be sustained in the eye of law.
7. The writ petition is allowed. The impugned order is set aside. The matter is remitted to the Tahasildar, Baripada to decide Misc. Case No.11 of 2025 afresh, after granting opportunity of hearing to all the necessary parties.

(Sashikanta Mishra)
Judge

Signature Not Verified

Digitally Signed
Signed by: BHIGAL CHANDRA TUDU
Designation: Stenographer
Reason: Authentication
Location: orissa High Court, Cuttack
Date: 06-May-2026 18:43:11

