



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32297 of 2025

Dutikrushna Mahapatra **Petitioner**

Ms. Sandhyarani Pani, Advocate

-versus-

The Additional Commissioner of Settlement and Consolidation and another **Opp. Parties**

Mr. Saroj Kumar Jee, AGA

CORAM:
THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER
20.03.2026

Order No.

01. 1. Heard learned counsel for the parties.
2. By means of this application, the Petitioner seeks the following relief:

“It is therefore pray that the Hon’ble Court may graciously be pleased to issue writ/writs order/orders, and direction/direction under Article 226 of the constitution of India and more particularly to issue:

1. Writ of mandamus directing opposite parties No.2 the Tahasildar, Buguda for correction of POR bearing plot No.7830 Khata No.222 in favour of petition along with his brothers within a short-stipulated period, in the interest of justice.
2. Pass other order/orders as the Hon’ble court may deem fit and proper in the facts and circulations of the case, in the interest of justice. And for this act of kindness petitioner shall even pray.”
3. It is submitted by learned counsel for the Petitioner that a partition has already been effected between the parties and, therefore, correction of the Record of Rights (RoR) was sought.



The same, however, has been declined by the authority under the impugned order. A perusal of the impugned order reveals that the authority has found that the Petitioner failed to substantiate his claim regarding the alleged family arrangement, much less any registered partition deed.

Be that as it may, having regard to the nature of the claim and the issues involved, which require appreciation of evidence for arriving at a just conclusion regarding the rights of the parties over the subject property, this Court is of the view that such disputed questions cannot appropriately be adjudicated in exercise of writ jurisdiction. Consequently, the impugned order suffers from no illegality warranting interference.

However, in the interest of proper adjudication of the rights relating to the family property, liberty is granted to the Petitioner to approach the competent civil court for adjudication of the dispute in accordance with law. With the aforesaid observation, the writ petition stands disposed of.

(Chittaranjan Dash)
Judge

AKPradhan

Signature Not Verified

Digitally Signed
Signed by: ANANTA KUMAR PRADHAN
Designation: Senior Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 23-Mar-2026 10:34:43

