



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32587 of 2025

Bholanath Panda and another* *Petitioners

Mr. Sourav Suman Bhuyan, Advocate

-versus-

State of Odisha and others* *Opposite Parties

Mr. Saswat Das, Addl. Government Advocate

CORAM:

THE HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

26.02.2026

Order No.

01. 1. It is submitted by learned Advocate for the petitioners that along with an application under Section 15 of the Odisha Survey Settlement Act, 1958 before the Member, Board of Revenue, Odisha, Camp at Bhubaneswar, the petitioners enclosed the following documents :

1. Sale Deed No.862, dated 23.01.1982.

2. R.O.R. issued by the Tahasildar, Bhubaneswar vide Mutation Khata No.325/1041, Plot No.1255/1667/273, Area Ac.0.100 decimals.

3. Hal R.O.R. Khata No.2339, Plot No.5298 Area Ac.0.070 decimals.

4. Power of Attorney given by the petitioners dated 22.02.2022.

5. Copy of the Order Lease Revision Case No.829 of 1998.

6. Hal Sabik Information.

7. Copy of O.J.C. No.1996 of 2002.

8. Copy of the permission granted in Revenue Misc. Case No.8 of 1982 dtd.22.01.1982 and OSS Case No.438/2020.



2. It is thus submitted that the Addl. Commissioner, Additional Revision Court-II, Bhubaneswar *vide* order dated 29.01.2025 in OSS Case No.224 of 2023, proceeded with the Revision Case ignoring the evidence on record by observing as follows:

“Notice to the petitioner has failed to produce any record in support of their claim. The lease is meant for agriculture purpose and not transferable”

3. He submitted that in the ROR *vide* Annexure-3, it is clearly shown that the petitioners are in possession of the land in question yet in the settlement, *kissam* of the land has been reflected as ‘Jungle’, which is erroneous finding of fact. Since the finding of fact is perverse, the order impugned is susceptible to be interfered with in the writ jurisdiction.
4. This matter requires consideration.
5. Issue notice to the opposite parties.
6. Mr. Saswat Das, learned Additional Government Advocate accepts and waives service of notice on behalf of the opposite party Nos.1 to 5. He is directed to obtain instruction within four weeks and file counter affidavit, if so desires.
7. List this matter in the week commencing 30th March, 2026.

(M.S. Raman)
Judge