



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 34300 of 2025

Sukanta Kumar Mishra

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Petitioner

Mr. Suvendu Kumar Behera, Advocate

-versus-

- 1. State of Odisha, represented
through its Secretary to
Government, Revenue and Disaster
Management Department, Govt. of
Odisha, BBSR***
- 2. Collector, Bolangir***
- 3. Tahasildar, Bolangir***
- 4. The Executive Officer, Bolangir
Municipality, Bolangir***

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Opposite Parties

Mr. M.K. Dash, ASC

CORAM:

HON'BLE MISS JUSTICE SAVITRI RATHO

ORDER

18.12.2025

Order No.

01.

(Through hybrid Mode)

1. This writ petition has been filed praying for a direction to the opposite parties no.2 to 4 to grant right of passage to the petitioner from his land bearing description Mouza Balangir 'KA', PS Balangir, PS No. 152, District-Balangir, Khata No. 730/2156, Plot No. 1595, area Ac.2.563 dec. to the public road.

2. Mr. S.K. Behera, learned counsel for the petitioner submits that he is the recorded tenant over Plot No. 1595, Khata No. 730/2156, Mouza-Balangir 'KA', Area Ac.2.563 dec. As he has no access to the public road, he was using Government Plot No. 1594 as access to his land and this land was also being used by the general public as road. But the said land is now being barricaded by



constructing concrete pillars, so he has filed a representation before the Tahasildar and Collector, Balangir (opposite parties no.2 and 3) to allow use of the said land as road by the general public. But the said representation is still pending before the opposite parties no.2 and 3.

3. Mr. M.K. Dash, learned Additional Standing Counsel submits that for right of easement, the petitioner has to approach the civil court. He also submits that a perusal of page 39 which is a copy of the sketch map annexed to the representation, it is apparent that the kism of the land in question is recorded as 'smasan' for which it cannot be permitted to be used as road.

4. After hearing the learned counsel for the parties, but without going into the merits of the case of the petitioner, the writ petition is disposed of directing that in the event, the representation of the petitioner vide Annexure-4 series is still pending, the same shall be disposed of within a period of four weeks from receipt of the copy of this order by the Collector, Bolangir.

5. It is made clear that this Court has not gone into the merits or maintainability of the representation of the petitioner.

Urgent certified copy of this order be granted on proper application.

(Savitri Ratho)
Judge

puspa