



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35043 of 2025

Subala Nayak

....

Petitioner

Mr. C.Ananda Rao, Senior Advocate
assisted by Mr. Sarat Kumar Behera, 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

25.02.2026

Order No.

- 01.
1. The note of arguments filed by the Advocate for the petitioner in Court today is taken on record.
 2. Challenging the order dated 12.12.2024 passed by the Additional Commissioner of Settlement and Consolidation, Berhampur, Ganjam under Section 15(b) of the Odisha Survey and Settlement Act, 1958 in S.R.P. No.173/2023, the petitioner has filed this writ petition.
 3. Mr. C. Ananda Rao, learned Senior Advocate submitted that the father of the petitioner during his life time executed *willnama* in favour of the petitioner. After death of his father in the year 2004, the petitioner, possessing the purchased land by his father as described in the Registered Sale Deed *vide* Annexure-1, sought for effecting necessary corrections in entries in the Record-of-Rights. Such prayer of the petitioner being rejected, a Revision Petition was filed before the authority concerned, who rejected said Revision Petition



by recording a flimsy ground that the *willnama* did not contain description of the land possessed by the petitioner. He further clarified that the father of the petitioner purchased a portion of the land in question by virtue of Registered Sale Deed bearing No.1196/1972 and after his death, the petitioner continued to possess the same land. The authority proceeded erroneously by assigning reason which cannot stand the test of legality.

4. This matter requires consideration. Issue notice to the other private opposite parties, who were impleaded before the Revisional Authority.
5. Mr. Saswat Das, learned Addl. Government Advocate appears and waives issue of notice on behalf of opposite party Nos.1, 2, 7 and 8.
6. Requisites for issuance of notice to opposite party Nos.3 to 6 by Speed Post with A.D. shall be furnished within three working days. The notice shall be made returnable before the next date.
7. List this matter in the week commencing 23rd March, 2026.

(M.S. Raman)
Judge

Bichi