



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C). No.35208 of 2025

Sanjukta Mishra ***Petitioner***
Mr. Anam Charan Panda, Advocate along with
Mr. Nihar Ranjan Mohanty, Advocate

-versus-

State of Odisha & others ***Opposite Parties***
Mr. Saswat Das, AGA

CORAM:
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No.
01.

ORDER
25.02.2026

I. Sri Anam Charan Panda, learned counsel along with Sri Nihar Ranjan Mohanty, learned counsel appearing for the petitioner drew attention of this Court that *vide* order dated 17.02.2020 while disposing of W.P.(C) No.19432 of 2019, the following observation was made:

“Taking into consideration the submission made by learned counsel for the parties, this Court is of the considered opinion that the petitioner should be given an opportunity of hearing to put-forth his case before the Assistant Settlement Officer, Rental Colony, Bhubaneswar.

Taking into the averments made and in view of the fact that final publication in respect of Sambalpur Mouza has not been published under Section 12(B) of the Act, the impugned order under Annexure-1 is set aside and the matter is remitted back to the Assistant Settlement Officer, Rental Colony, Bhubaneswar to decide the matter afresh in accordance with law by giving opportunity of hearing to the parties concerned.”



1.1. He referred to the following portion of the impugned order dated 17.03.2025 passed by the Assistant Settlement Officer, Rental Colony, Bhubaneswar:

“The Hon’ble High Court has disposed off this case as terms of disposal in WPC No.1608/2014, wherein in para 2 of the said case the Hon’ble High Court has clarified as “It is made clear that this order will not prevent the Government from exercising power under Section 3-B of the OGLS Act in accordance with law.”

1.2. He, thus, would submit that though there was no indication in the order of this Court regarding the Odisha Government Land Settlement Act, the Authority concerned having proceeded as the dispute falls within the purview of said Act, proceeded to dismiss the matter. Therefore, the impugned order is faulted with as erroneous approach of the authority on the basis of irrelevant and unrelated facts are manifest from the face of the record. It is vehemently urged that the Assistant Settlement Officer has dealt with the matter in a cavalier manner without adherence to the observations made by this Court *vide* order dated 17.02.2020 in W.P.(C) No.19432 of 2019.

1.3. It is further submitted that Adjudication Misc. Case No.229 of 2023 (arising out of W.P.(C) No.19432 of 2019) stood disposed of with not only premised on the aforesaid erroneous perception but also without requiring the petitioner to furnish any records or documents.

1.4. It is brought to the notice of this Court that while recording the proceeding dated 26.06.2023, the Assistant Settlement Officer, Rental Colony, Bhubaneswar has not mentioned the adjourned date; yet in the docket note, it is reflected as follows:

“The petitioner is absent on call from 17.3.25”



2. In view of the above, this matter requires consideration.
3. Issue notice to the opposite parties.
4. Mr. Saswat Das, learned Additional Government Advocate appears and waives service of notice on behalf of opposite parties. He seeks four weeks' accommodation to obtain instruction in this regard and produce record before this Court relating to Adjudication Misc. Case No.229 of 2023 (arising out of W.P.(C) No.19432 of 2019) maintained in the Court of the Assistant Settlement Officer, Rental Colony, Bhubaneswar functioning at Major Settlement, Jobra, Cuttack.
5. List this matter in the week commencing 23.03.2026.

(M.S. Raman)
Judge