
(2025) 12 OHC CK 0016

Orissa HC

Case No: Writ Petition (C) No. 31349 Of 2025

Pranita Das And Another

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision: Dec. 2, 2025

Acts Referred:

- Constitution Of India, 1950-Article 226, 227

Hon'ble Judges: A.C.Behera, J

Bench: Single Bench

Advocate: T. Barik, J. Sahoo

Final Decision: Disposed Of

Judgement

A.C. Behera, J

1. This writ petition under Articles 226 and 227 of the Constitution of India, 1950 has been filed by the petitioners praying for quashing of the impugned dated 23.10.2024(Annexure-8 series) passed in Mutation Case No.3928 of 2014 by the Additional Tahasildar, Jatani(Opposite Party No.2), because, the Additional Tahasildar, Jatani(Opposite Party No.2) has rejected the said mutation case on the ground that, the petitioners did not appear before him and did not submit the original certified copy of the order.

2. Heard from the learned counsel for the petitioners and learned Standing Counsel for the State.

3. During the course of hearing, learned counsel for the petitioners submitted that, all the required documents are available before the Additional Tahasildar, Jatani(Opposite Party No.2) and the Additional Tahasildar, Jatani(Opposite Party No.2) has not issued any notice to the petitioners calling them for production of required documents as well as giving them (petitioners) opportunity of being heard.

4. The impugned order vide Annexure-8 series does not reveal about the sufficiency of notice upon the petitioners in Mutation Case No.3928 of 2024.

5. When, the impugned order itself does not reveal about the service of notice in Mutation Case No.3928 of 2024 upon the petitioners, then at this juncture, it is held that, the impugned is bad under law for non-compliance of principles of natural justice.

Therefore, the impugned order dated 23.10.2024 vide Annexure-8 series passed by the Additional Tahasildar, Jatani(Opposite Party No.2) cannot be sustainable under law.

6. Therefore, there is justification for making interference with the same through this writ petition filed by the petitioners.

7. In result, this writ petition filed by the petitioners is allowed.

The impugned order dated 23.10.2024(Annexure-8 series) passed in Mutation Case No.3928 of 2024 by the Additional Tahasildar, Jatani(Opposite Party No.2) is quashed.

8. The matter vide Mutation Case No.3928 of 2024 is remitted back to the Additional Tahasildar, Jatani(Opposite Party No.2) to decide the same afresh as per law after giving opportunity of being heard to the petitioners and others, if any, as expeditiously as possible preferably within a period of two months from the date of filing of the certified copy of this judgment.

9. The parties of this writ petition are directed to appear before the Additional Tahasildar, Jatani(Opposite Party No.2 on dated 16.12.2025 for the purpose of receiving the directions of the Additional Tahasildar, Jatani(Opposite Party No.2) as to further proceedings of the Mutation Case No.3928 of 2024.

10. Accordingly, this writ petition filed by the petitioners is disposed of finally.