IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.25016 of 2026
ODHC010577182026

Udayan Sarathi Behera ..... Petitioner

Represented by
Mr.S.S.Das,
Advocate

-versus-

State of Odisha and others ..... Opposite Parties

Represented by

Mr. G. Mohanty, S.C.

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER

Order No. **11.9.2026.**

02. 1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioner and learned Standing Counsel for the State.

3. Learned State counsel has obtained specific instructions that an application for substitution was indeed filed by the petitioner in the court below on 22.3.2022. It is fairly submitted that no order on such petition was passed. Such being the factual

position, it is evident that the impugned order is rendered a nullity having been passed against a dead person without considering the application filed for his substitution.

4. The Writ Petition is therefore, allowed. The impugned order is set aside. The matter is remanded to the learned Member, Board of Revenue to consider the revision afresh from the stage of filing of the petition for substitution. Since the revision filed is of the year 2026, learned Member shall make an endeavour for its early disposal, preferably within two months from the date of production of certified copy of this order by the petitioner.

(Sashikanta Mishra)
Judge

AKB

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Date: 11-Sep-2026 17:12:58