IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.29026 of 2026
ODHC010691462026

Chandranath Banerjee	**….**	***Petitioner***
		Represented by
		Mr. A.N.Das, Senior Advocate with
		Mr. J.K.Pratihari, Advocate
	-Versus -	
State of Odisha & Ors	**….**	***Opposite Party***
		Represented by
		Mr. G.Mohanty,
		Standing Counsel

CORAM:
JUSTICE SASHIKANTA MISHRA

ORDER
11.09.2026

Order No.
01.

1. This matter is taken up through hybrid mode.

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

3. The petitioner has approached this Court with the following prayer:

> *The petitioner, thus, prays that this Hon'ble Court be pleased to;*
> *(i) Admit and allow the present writ application;*
> *(ii) Hold/order/direct that the order dated 16.01.2026 passed by Opposite Party No.4 and non-implementation/non-execution of order dated 17.07.2026 of Opposite Party No.3 by Opposite Party No.4 was/is bad, illegal, arbitrary and nonest in eye of law and thereby direct the Opposite Party No.4 to record the Plot No. 182/1371 & 184, measuring an area Ac. 0.68 dec. and Ac. 0.16 dec. of Khata No. 301/103, Mouza-Manuri, Sabika Plot No. 81, Khata No. 103, Mouza-Manjuri in favour of the petitioner forthwith;*
> *(iii) Pass such other order/orders as deem fit and proper for the interest of justice;*
> *And for which act of kindness, the petitioner as in duty bound shall ever pray."*

4. In course of hearing, Mr. A.N. Das, learned Senior counsel appearing for the petitioner draws attention of this Court to the direction of the Sub-Collector, Jajpur in order dated 17.07.2026, whereby the Tahasildar, Vyasanagar was directed to take necessary action for execution of the order dated 02.09.2025 passed in Mutation Appeal No. 38 of 2024. Mr. Das, learned Senior Counsel, submits that despite such decree passed by the civil Court, the Tahasildar has not acted upon the same even till date.

5. Mr. G.Mohanty, learned Standing Counsel fairly submits that the civil Court as well as the superior authority having passed appropriate orders, it is obligatory on the part of the Tahasildar to carry out the same.

6. This Court has time and again held that in view of the mandate of Rule 35 of the OSS Rules, the Tahasildar has no option but to carry out the orders of the superior Courts. The writ application is therefore, disposed of by directing the Tahasildar, Vyasanagar to act upon the direction of the appellate authority as referred above as early as possible, preferably within a period of six weeks from the date of production of certified copy of this order by the petitioner.

7. Urgent certified copy be granted on proper application.

(Sashikanta Mishra)
Judge

Deepak

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Reason: Authentication
Location: OHC,Cuttack
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