



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.5424 of 2025

Parikshita Biswal

.....

Petitioner

Represented By Adv. -
Biren Sankar Tripathy

-versus-

1) State Of Odisha

.....

Opposite Parties

- 2) The Revenue Divisional
Commissioner, Sambalpur
- 3) The Collector, Dhenkanal
- 4) The Sub Collector, Dhenkanal
- 5) The Tahasildar, Kamakhyanagar

Represented By Adv.

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Mr. S. Nayak, ASC

CORAM:

**THE HON'BLE MR. JUSTICE ANANDA CHANDRA
BEHERA**

ORDER

28.03.2025

Order No.

1. 1. This matter is taken up through hybrid mode.
2. Heard from the learned counsel for the petitioner and the learned ASC for the State.
3. Upon hearing from the learned counsels of both the sides, it is felt proper to dispose of the writ petition finally at this stage after setting aside the final order dated 02.11.2024 passed in R.P. Case No.244 of 2024 by the Revenue Divisional Commissioner, Northern Division, Sambalpur, because, in spite of having continuous revenue records in favour of the petitioner in respect of the case land, the Opp. Party No.2 passed the impugned order for recording of the case land in the name of the Opp. Parties on the basis of the report of the R.I. and Amin.



It is the settled propositions of law as per the ratio of the decision of the Hon'ble Courts in a case between ***Chakradhar Rout & Another Vs. State*** reported in ***1975 C.L.T. (41) 52*** that, *though the report of the revenue supervisor or the R.I. is admissible as a public document but the same has not evidentiary value being hearsay in nature.*

4. The matter vide R.P. Case No.244 of 2024 is remitted back to the Opp. Party No.2 for its fresh decision as per law as expeditiously as possible within a period of 3 (three) months from the date of communication of this Order after giving opportunity of being heard to the parties as well as complying the principles of natural justice in full.

5. Registry is directed to communicate this Order to the Revenue Divisional Commissioner, Northern Division, Sambalpur (Opp. Party No.2) immediately.

6. Accordingly, the writ petition is disposed of finally.

7. Urgent certified copy of this Order be granted to the petitioner on proper application.

(ANANDA CHANDRA BEHERA)
Judge

Rati Ranjan