COURT OF THE SUB-COLLECTOR, ATHAMALLIK

Mutation Appeal No. 13 of 2021

(Against the order of the Tahasildar, Kishorenagar in Mutation Case No. 1495/1992)

Appellant v. Tahasildar, Kishorenagar … Respondent

Decided on 18 September 2025

Appeal or review – Name of a co-purchaser omitted by oversight. Where one of several purchasers named in the sale deed was left out of the RoR through an inadvertent mistake, the remedy is a review before the Tahasildar for an error apparent on the face of the record, not an appeal. An appeal lies for defects such as non-service of notice, invalid title or lack of possession.

Result: Appeal disposed of; appellant directed to file a review before the Tahasildar, who shall make the correction.

ORDER

18.09.2025

1. The case was taken up today. Perused. The appellant, along with his four brothers, had purchased land measuring 0.28 acres from Khata No. 199. Plot no. 3938 of Mouza- Luhamunda from one Balaram Pradhan & others vide RSD No. 262 dated 10.03.1992. The appellant was a minor at the time of execution. During the correction of the RoR in mutation case no. 1495/92, the Tahasildar Kishorenagar inadvertently omitted the name of the appellant whose name was in the sale deed.

2. I found that the appellant has not mentioned any valid grounds of appeal. Valid Grounds for Filing a Mutation Appeal. The appeal should be filed if there are any lapses in serving of notice, if the appeal is allowed based on an invalid title, or if the applicant lacks possession over the case land. In this case, the appellant has not mentioned any of the above circumstances. Instead, it was submitted that the mutation officer has inadvertently left out his name, which falls under the Review, not under appeal.

3. Reviews (separate from appeals) are limited to "apparent mistakes or errors on the face of the record" As such, I am inclined not to allow this appeal. The appellant will file a review petition before the Tahasildar of Kishorenagar. If such a petition is filed, the Tahasildar shall rectify the necessary corrections in accordance with the Orissa Mutation Manual, 1962.

4. The appeal is disposed of.

Sd/-

Sub-Collector, Athamallik

Odisha Revenue Laws · Revenue Court Orders. Reported for the reference of revenue officers. The order applies to its own facts; check the current law before relying on it.