COURT OF THE REVENUE OFFICER-CUM-SUB-COLLECTOR, ATHAMALLIK

OLR Case No. 03 of 2025 (Section 23-A, OLR Act)

Hari Meher and Parbati Meher … Petitioners v. Occupants identified by the R.I. … Opposite Parties
Decided on 8 April 2026

Odisha Land Reforms Act, 1960 – Section 23-A – Long possession by fencing patches of an SC raiyat's land. Possession of patches of a Scheduled Caste raiyat's recorded land, however long (here about ten years), does not ripen into ownership where it violates the protective provisions of the OLR Act. On the R.I.'s report identifying the occupants, the Revenue Officer must order eviction and restore the land to the recorded raiyats.

Result: Occupants declared unauthorised; to vacate Ac 0.485 within 30 days; Tahasildar to deliver vacant possession.

ORDER

08.04.2026

Statement of the Petitioners (Recorded Owners)

1. The land in question, situated in Mouza Tentulipadar, Khata No. 77, comprises Plot No. 1592 (Kisam: Sarad II, Area: Ac 0.54) and Plot No. 1573 (Kisam: Patharbani, Area: Ac 0.16). The recorded tenants (Rayats) are Hari Meher and Parbati Meher, both belonging to the Kuli caste (Scheduled Caste/Backward community). The petitioners allege that portions of their ancestral land have been occupied by unauthorised persons, hindering their full enjoyment of the property

Statement of the Defendants (Unauthorised Occupants)

2. The inquiry by the Revenue Inspector, Aida, identified the following individuals as being in possession of specific patches of Plot No. 1592 for approximately 10 years for cultivation purposes:

3. Prafulla Sitha & Debaraj Sitha: Occupying Ac 0.16.

4. Sunil Kheti: Occupying Ac 0.06.

5. Maguni Behera: Occupying Ac 0.04.

6. Chitrasena Pradhan: Occupying Ac 0.11.

7. Prakash Bagh & Prasanta Bagha: Occupying Ac 0.115.

8. These occupants have reportedly enclosed a total area of Ac 0.485 with a wire boundary and divided it into small plots for various crops.

Report of the Tahasildar & Revenue Inspector

9. The Tahasildar, Athmallik, via Letter No. 514 dated 07.04.2026, submitted the inquiry findings. The report clarifies:

10. The Rayat (Hari Meher) still retains physical possession of Ac 0.055 in Plot No. 1592 and the entirety of Plot No. 1573 (Ac 0.16).

11. Other named individuals (Achyuta Kheti, Narendra Kheti, and Trilochan Kheti) were found not to be in occupation of Plot No. 1573.

12. The occupation by the defendants is confirmed to be for "cultivation purposes," yet it exists without a legal transfer of title from the recorded owners.

Legal Analysis under Section 23-A of the OLR Act

13. Section 23-A of the Odisha Land Reforms Act specifically addresses the eviction of persons in unauthorized occupation of land belonging to a person belonging to a Scheduled Tribe or Scheduled Caste.

14. Unauthorized Occupation: The inquiry confirms that the defendants have occupied Ac 0.485 of Plot No. 1592 for 10 years. Under the Act, any transfer of land from a member of a Scheduled Caste/Tribe to a non-member without the prior permission of the Revenue Officer is void.

15. Absence of Title: The defendants are using the land for cultivation and have erected wire boundaries, but the land remains recorded in the name of the Rayats. Possession, no matter how long-standing (10 years in this case), does not ripen into ownership if it violates the protective provisions of the OLR Act.

16. Suo Motu/Application Power: Since the RI report clearly identifies unauthorized patches and the individuals involved, the Revenue Officer is mandated to restore the land to the original Rayat to uphold the intent of the Act.

17. After careful consideration of the Inquiry Report (Letter No. 514) and the provisions of Section 23-A of the OLR Act, it is hereby ordered:

18. The individuals listed in Section II are declared unauthorized occupants of the land in Khata No. 77, Plot No. 1592.

19. The defendants are directed to vacate the total area of Ac 0.485 and remove all wire boundaries and crops within 30 days of this order.

20. The Tahasildar, Athmallik, is directed to ensure the delivery of vacant possession to the recorded Rayats, Hari Meher and Parbati Meher.

21. Failure to comply will result in forceful eviction with the assistance of the local police administration.

Sd/-

Revenue Officer-cum-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.