



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.11187 of 2026

Ballavi Naik

....

Petitioner

Ms. Mausm Priyadarsani Behera, Advocate

-versus-

Kailash Naik and Others

.... ***Opposite Parties***

Mr. Siba Narayan Biswal
(Additional Standing Counsel)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

30.06.2026

Order No.

04. 1. This matter is taken up through hybrid mode.
2. Petitioner, in this writ petition, prays for the following relief:-

“In light of the facts and circumstances mentioned above, the petitioner respectfully prays that this Hon'ble Court may graciously be pleased to admit this writ petition and be further pleased to direct the learned Civil Judge Sr. Division, Sundargarh to dispose of the application under Section 33 of the L.A. Act, 1894 of the petitioner as well as the L.A. Reference Case No.317 of 2013 under Section 30 of the L.A. Act, 1894 as expeditiously as possible and preferably within a period of six month.

And pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

And for this act of kindness the petitioners shall as in duty bound ever pray.”



3. Taking into consideration the submissions made by learned counsel for the parties, this Court vide order dated 22nd April, 2026 directed learned Civil Judge (Senior Division), Sundargarh to submit a report with regard to the status of the LA Reference Case No.317 of 2013 initiated under Section 30 of the Land Acquisition Act, 1894 (for brevity, 'the Act').

4. Upon hearing learned counsel for the Petitioner and on perusal of the report of the learned Civil Judge (Senior Division), Sundergarh, communicated to this Court vide Letter No.350 dated 11th May, 2026, it reveals that it is due to the Petitioner, the delay has occurred in disposal of the reference. At the fag-end of the proceeding, the Petitioner filed an application under Section 33 of the Land Acquisition Act, 1894 (for brevity, 'the Act') without serving copy of the petition on Opposite Party No.10. The reference has been adjourned to different dates, i.e., 26th September, 2025, 15th November, 2025 and 11th February, 2026 for service of copy. But the same appears to have not yet been complied with. The reference at present posted to 8th July, 2026. If copy of the said petition is not served by that date, learned Civil Judge (Senior Division), Sundergarh shall pass necessary orders on the petition under Section 33 of the Act without waiting for compliance of the aforesaid order and shall proceed with the adjudication of the reference at the earliest. Since the reference under Section 30 of the Act is of the year 2013, learned Civil Judge (Senior Division), Sundergarh shall do well to dispose of the reference, as expeditiously as possible, preferably by end of



November, 2026 giving opportunity of hearing to the parties concerned.

5. The writ petition is disposed of accordingly.
6. Issue urgent certified copy of this order on proper application.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Himansu

Signature Not Verified

Digitally Signed
Signed by: HIMANSU SEKHAR DASH
Reason: Authentication
Location: OHC
Date: 01-Jul-2026 19:12:52

