

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10363 of 2012

Fazulur Raheman Khan

....

Petitioner

M/s. P.S. Nayak, Advocate and associates

-versus-

State of Orissa and others

....

Opposite Parties

Mr. Ishwar Mohanty, Additional Standing Counsel

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K. PATTANAİK

ORDER

18.07.2022

Order No.

09.

1. On 12th August 2017, the following order was passed in the present petition:

“This matter is taken up in the High Court Level Lok Adalat.

Learned counsel for the petitioner submits that the petitioner being the beneficiary under Category-I of land oustee is entitled to get a cash compensation of Rs.5,52,000/- in lieu of employment as per Annexure-4, but a meager sum of Rs.2,49,000/- has only been sanction in his favour, which he has not accepted.

Mr. Nayak, learned Addl. Standing Counsel for the State referring to para-7 of the counter affidavit submits that since the petitioner had exercised his option to avail cash compensation in lieu of employment on 26.07.2014, the Addl. District Magistrate, Kalinga Nagar intimated M/s. MISL, Kalinga Nagar to make payment of cash of Rs.2,49,000/- in lieu of employment to the petitioner.

In view of the submission made by learned counsel for the petitioner, Mr. Nayak, learned Addl. Standing Counsel for the State submits that this matter may be placed before the next Lok Adalat by which time he will take definite instruction with regard to the amount of cash assistance to be provided to the petitioner.

Put up this matter before the next Lok Adalat.

A free copy of this order be handed over to Mr. Nayak, learned Addl. Standing Counsel for the State for compliance.”

2. The matter was listed again on 9th September 2017, before the Lok Adalat and some more time was sought for instructions, but to no result.

3. Although more than four and half years have elapsed since then, learned counsel for the State even today has no instructions.

4. In the circumstances, the Court directs that the Commissioner-cum-Secretary, Revenue and Disaster Management Department will examine the entire matter in light of the above issue and after hearing the Petitioner on a date to be intimated to the Petitioner at least ten days in advance, pass a reasoned order not later than 1st November 2022, and communicate the order to the Petitioner not later than 9th November, 2022. If aggrieved by such order, it will be open to the Petitioner to seek appropriate remedies in accordance with law. The Court clarifies that it has not expressed any view in the matter.

5. The writ petition is disposed of in the above terms.

6. Issue urgent certified copy of this order as per Rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Guin

