

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.13262 of 2017

Pabitra Kumar Pal & Anr.

.....

Petitioners

Mr. A.K. Panda, Advocate

Vs.

***Executive Officer, NAC, Banki
& Ors.***

.....

Opposite Parties

Mr. J.Chhotray, Advocate

Mr. A.K. Mishra, AGA

(O.Ps.2-5)

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

25.11.2022

Order No.

5

Those matters are taken up through hybrid mode.

2. Heard Mr. A.K. Panda, learned counsel for the petitioners and Mr. A.K. Mishra, learned Additional Government Advocate appearing for opposite parties no.2 to 5.

3. The petitioners have filed this writ petition seeking direction to the opposite parties to restore the possession of private Plot No.159 to the petitioners upon making due demarcation to its original position of Gharabari and that if at all the opposite parties are determined to acquire the private land of the petitioners, they be directed to take re-course to the provisions of Land Acquisition Act.

4. Mr. A.K. Panda, learned counsel for the petitioners contended that the private land of the petitioners was acquired forcibly by the opposite parties and, as such, nothing has been

paid to the petitioners.

5. Mr. A.K. Mishra, learned Additional Government Advocate appearing for opposite parties no.2 to 5 contended that if the private land of the petitioners has been acquired by the opposite parties, they should have approached the appropriate forum. Instead of approaching the appropriate authority, the petitioners have directly approached this Court by filing this writ petition, which is not maintainable.

6. Considering the contentions raised by learned counsel for the parties and after going through the records, since the private land of the petitioners has been acquired by the opposite parties, it is open to the petitioners to approach the appropriate forum claiming benefit in accordance with law.

7. With the above observation, the writ petition stands disposed of.

8. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE