

IN THE HIGH COURT OF ORISSA AT CUTTACK

O.J.C. No.11754 of 1998

Chintamani Pradhan

....

Petitioner(s)

Mr.B.M.Patnaik,Adv.

-versus-

Union of India & Ors.

....

Opposite Party(s)

Mr.D.K.Sahoo,CGC

CORAM:

JUSTICE BISWANATH RATH

ORDER

22.11.2022

Order No.

5.

1. Heard learned counsel appearing for the parties.

2. This writ petition involves the following prayer:-

“The petitioner therefore prays that the Hon’ble Court be pleased to issue writ of mandamus, any other writ directions, order for the grant of following relief:

(A) To issue writ of mandamus commanding the Opposite Party Nos.1 & 2 to pay compensation of Rs.1,69,956/- the petitioner within a time fixed by this Hon’ble Court.

(B) To issue any other appropriate writ as deemed fit and proper in the facts and circumstances of the case. And for this act of the petitioner shall as in duty bound shall ever pray.”

3. Notice was issued on 21.12.1999. On the own submission of the petitioner through Annexure-2, it appears, based on the claim involved herein, there has been reference of the matter for undertaking an exercise under Section 18 of the Land Acquisition Act. In fact based on the claim of the petitioner LAMC No.43 of 1993 was pending before the Civil Judge (Senior Division), Angul. Learned counsel appearing for the petitioner has also no instruction as to the development involving land acquisition case, if any. This Court observes, in the event a land acquisition proceeding under Section 18 is already involved on the selfsame relief, no writ petition would have been entertainable.

4. The writ petition stands disposed of however observing dependant on the outcome of the Land Acquisition Proceeding, petitioner may have liberty to proceed further.

sks

(Biswanath Rath)
Judge

