

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 647 of 2022

Mansingh Bhoi

....

Petitioner

Mr. Bijaya Kumar Behera, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. D.K. Mohanty,
Additional Standing Counsel

CORAM:

**JUSTICE BISWAJIT MOHANTY
JUSTICE K.R.MOHAPATRA**

ORDER

04.02.2022

Order No.

1.

1. This matter is taken up through Video Conferencing Mode.

2. Heard Mr.Behera, learned counsel for the Petitioner and Mr. Mohanty, learned Additional Standing Counsel.

3. According to Mr. Behera, the Petitioner is aggrieved by inaction of the Opposite Parties in not paying the compensation for acquisition of his land under Land Acquisition Act, 1894 for construction of Lower Indra Irrigation Project, Khariar in the District of Nuapada. He further submits that though the case of the Petitioner has been recommended by Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar (Opposite Party No. 3) to Director (R & R) & Ex- Officio Additional Secretary to Government, Department of Water Resources, Odisha, Bhubaneswar (Opposite Party No. 2) on 27th December 2021 vide Annexure-2 for sanction of the amount so as to ensure expedite payment to the Petitioner but till date nothing has been done in this matter. In such background, he prays that a direction may be issued to the Opposite Party No.2

to take a decision on the recommendation of Opposite Party No.3 under Annexure-2 within a specific time period.

4. Considering such submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.2 to take a decision on the recommendation of Opposite Party No. 3 vide letter No. 1290 w/e, dated 27th December, 2021 in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the result of such exercise to the Petitioner. In case Opposite Party No.2 finds claim of the Petitioner legally acceptable, then he is directed to take all steps to release the compensation amount in favour of the Petitioner within a period of four weeks thereafter.

5. The writ application is accordingly disposed of.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020, modified by Notice No.4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Biswajit Mohanty)
Judge

(K.R. Mohapatra)
Judge