

IN THE HIGH COURT OF ORISSA AT CUTTACK

LAA NO.14 of 2010

**State of Orissa,
Kendrapara**

.....

Appellant

Mr. G. Rout, ASC

Vs.

Sailabala Sahu

.....

Respondent

CORAM:

MR. JUSTICE SANJAY KUMAR MISHRA

ORDER

14.09.2022

Order No.
06.

This matter is taken up through hybrid mode.

2. Though the matter is listed today with regard to removal of defects pursuant to Order dated 12.08.2022, learned Counsel for the State produces before this Court the letter No.296 dated 25.08.2022 of the Special Land Acquisition Officer-Cum-Collector, Haridaspur-Paradeep New B.G. Rail Link Kendrapara, addressed to the Advocate General, Orissa, Cuttack, wherein it has been stated as follows:

“In inviting reference to the letter on the subject cited above, I am to submit herewith the detail information (Status report) on L.A.A No.14/2010 as mentioned below.

1- That the learned Civil Judge (Sr. Division) Kendrapara had passed order for payment of higher compensation @ Rs.150000/-per acre instead of Rs.70,000/- per acre vide L.A. Misc.case No.41/2002 on dated 27.08.2009.

2- That being aggrieved with the impugned Judgment of Civil Court, present

appeal bearing L.A.A. No.14/2010 was filed by the Spl. L.A.O., Kendrapara before the Honourable High Court, Orissa.

3- Simultaneously another appeal bearing L.A.A. No.95/2009 was also filed by the claimant Sailabala Sahoo before the Honourable High Court enhancement of compensation awarded by the learned Civil court in L.A. Misc. case No.41/2002.

4- In the meantime as Sailabala Sahoo has withdrawn the Land Acquisition Appeal, the same has been dismissed by the Honourable High Court on 30.03.2012.

5- That before filing the L.A. Misc. case No.41/2002, Sailabala Sahoo had already received award amount of compensation Rs.232100/-(Rupees two lakhs thirty two thousand one hundred) only for the acquired land in shape of A/c payee cheque No.189515 date.1.6.2002 from Spl.L.A.O., Kendrapara.

That after withdrawn and dismiss of L.A.A. No.95/2009 one Dhiren Kumar Sahoo S/o-Banambar Sahoo of vill-Mirapatana, P.O./Dist-Kendrapara, the power of Attorney holder of sailabala Sahoo vide Regd.No.20 dtd.17.02.2010 has filed Affidavit before Spl. L.A.O., Kendrapara and received Ex-gratia amount of Rs.1160700/-(Eleven lakhs sixty thousand seven hundred)only from Spl. L.A.O., Kendrapara vide A/c Payee cheque No.012509 dtd.26.04.2012 for the same acquisition of land.

In view of the facts stated above, it is prayed that the Appeal petition bearing L.A.A. No.14/2010 filed by Spl L.A.O., Kendrapara may kindly be dropped”.

3. In view of the said communication made by the Special

Land Acquisition Officer, who is the Appellant in the present case, the Appeal stands disposed of as not pressed.

(S.K. MISHRA)
JUDGE

Banita

