

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 8829 of 2016

Vialal Oram

.....

Petitioner

Mr. S.K.Sahoo, Advocate

Vs.

State of Odisha & Others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.12.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. Heard.

3. The present Writ Petition has been filed with the following prayer:-

“ It is therefore, prayed that your Lordships may graciously be pleased to admit the writ petition, call for the records, issue Rule NISI in the nature of Writ of Certiorari/Mandamus/Prohibition calling upon the Opp. Parties to show cause as to why the land in question shall not be acquired by following the due procedure of law and/or without acquiring the land in question the Opp. Parties may be prohibited from interfering/reserving the land in question for MCL railway line and to pay compensation of Rs.10 lakhs for forcible acquisition and further they shall not be directed to consider the representation of the petitioner vide Annexure-3;

And in the event the Opp. Parties fail to show cause or show insufficient cause, the said Rules be made absolute, the Opp. Party authorities be directed the land in question be acquired by following the due procedure of law and/or without acquiring the land in question the Opp. Parties may be prohibited from interfering/reserving the land in question for MCL railway line and to pay compensation of Rs.10 lakhs for forcible acquisition and further directed to consider the

representation of the petitioner vide Annexure-3”.

4. In course of hearing, learned counsel for the Petitioner states that highlighting his grievances, the Petitioner has made a representation to Opposite Party No.2 vide Annexure-3 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioner vide Annexure-3, and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat