

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1255 of 2013

Arnapurna Bag

....

Petitioner

Mr. G.N. Sahu, Advocate

-versus-

State of Orissa and others

....

Opposite Parties

Mr. P.K. Muduli, A.G.A. for the State

Ms. Sumitra Mohanty, Advocate for O.P. Nos.3 to 5

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K. PATTANAİK

ORDER

18.07.2022

Order No.

11. 1. The prayer in the present petition is for a direction to the Land Acquisition Officer-cum-Tahasildar, Lephripara, District-Sundargarh to make a reference to the Civil Judge (Senior Division), Sundargarh pursuant to the application filed by the Petitioner under Section 30 of the Land Acquisition Act, 1894 (LA Act).
2. It appears that the said application was made even before the land acquisition award was passed on 8th December, 2012. Be that as it may, the subsequent attempt by the Petitioner to challenge an order passed on 2nd January 2013, by the Land Acquisition Officer, Lephripara declining the prayer for making a reference by way of an amendment to the petition has not yet been permitted by this Court.

3. By the said order dated 2nd January 2013, the Petitioner's prayer was rejected on the ground that the original recorded tenants were still alive and therefore, the question of making the reference did not arise.

4. The Court is informed today that the compensation amount has already been disbursed to those recorded tenants and therefore, the question of making a reference at this stage under Section 30 of the LA Act does not arise.

5. Leaving it open to the Petitioner to seek other appropriate remedies vis-à-vis the compensation amount already disbursed to Opposite Party Nos.3, 4 and 5, the writ petition is disposed of. The interim order passed earlier in the present petition stands vacated.

6. Issue urgent certified copy of this order as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Guin