

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 3118 of 2019

Manas Khuntia

.....

Petitioner

Mr. A.K. Pandey, Advocate

Vs.

Collector, Dhenkanal and others

.....

Opposite Parties

Mr. S.N. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.12.2022

Order No.

03.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties not to disburse a sum of Rs.3,93,596/- in favour of opposite party no.3 as the disputed land against which the money has been sanctioned is the subject matter of Civil Suit No. 322 of 2017 pending before the learned Civil Judge, Senior Division, Dhenkanal.

4. On perusal of the record, it appears that Civil Suit No. 322 of 2017 is pending before the Civil Judge, Senior Division, Dhenkanal. Therefore, the question of disbursement of compensation will be subject to the outcome of the Civil Suit.

5. Mr. S.N. Nayak, learned Additional Standing Counsel on instruction contended that the awarded L.A. Compensation amount has already been kept under Civil deposit in the Presiding Officer, LAR&R Authority Sambalpur, therefore, nothing more remains to be adjudicated in the writ petition.

6. Having heard learned counsel for the parties and after going through the records, it appears that the awarded L.A. Compensation amounting to Rs.5,06,738/- (Rs.3,93,596/- for an area of Ac.0.405 under Khata No.

433/188 & Rs.1,13,142/- for an area of Ac.0.26 under Khata No. 355) belonging to Nilamani Khuntia, S/o-Ajati Khuntia of village- Krushnaprasad has been made under Civil deposit in the Presiding Officer, LAR&R Authority, Sambalpur vide Challan No. 23 dated 08.02.2021.

7. Since the amount has already been deposited under Civil deposit as indicated above and the Civil Suit No. 322 of 2017 is pending before the Civil Judge, Senior Division, Dhenkanal, the disbursement of the compensation amount will be subject to the outcome of Civil Suit No. 322 of 2017.

8. With the aforesaid observation/direction, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Arun

