

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.1480 of 2022

Chandrama Sahu & Others

....

Petitioners

Mr. P.K. Behera, Advocate

-versus-

***Smt. Anu Garg, I.A.S, Principal
Secretary to Government & Others***

....

Opposite Parties

Mr. P.K. Mohanty, ASC

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)
28.07.2022

Order No.

03. 1. This matter is taken up by virtual/physical mode.
2. This Contempt Petition has been filed at the behest of the
 Petitioners in the writ petition being W.P. (C) No. 28805 of 2020
 alleging non-compliance of the order dated 6th November, 2020.
 wherein this Court passed the following order:-

“Heard, learned counsel for the Parties.

This Writ Petitioner has been filed by the Petitioners seeking for a direction to the Opposite Parties to pay the compensation for acquisition of their land for the purpose of construction of Upper Indravati Irrigation Project as per the award dated 01.09.2014 passed by the learned Civil Judge (Sr. Divn.), Bhawanipatna, Dist-Kalahandi in L.A.R. No. 76 of 2014.

Learned counsel for the petitioners submitted that similar Writ Petition bearing W.P.(C) No.12814 of 2020 has been

disposed of on 04.9.2020 directing opposite party No.1 to sanction the amount at an early stage and to take expeditious step for disbursement of the compensation amount. This Writ Petition may be disposed of in terms of the order passed in W.P.(C) No.12814 of 2020. W.P.(C) NO.28805 Of 2020.

Learned Additional Govt. Advocate has also not objected to the aforesaid submission made by learned counsel for the petitioners.

In view of the above, we dispose of this Writ Petition with a direction to opposite party no.1 to sanction the amount at an early stage and thereafter the opposite party no.3-Special Land Acquisition Officer, Upper Indravati Irrigation Project, Kusumkhunti in the district of Kalahandi shall take expeditious steps for disbursement of the compensation amount in favour of the petitioners. The entire exercise shall be completed by the end of February, 2021 on production of certified copy of this order."

4. Upon notice, a compliance affidavit dated 26th July, 2022 has been filed by Mr. Banamali Meher, Zone Officer, Upper Indravati Irrigation Project (Opposite Party No.4).

5. Mr. P.K. Mohanty, Additional Standing Counsel by referring to the contents of para 4, 5 and 6 of the compliance affidavit submits that the orders have been duly complied with, the delay in passing of the orders has been deeply regretted.

6. In view of the contents of the aforesaid paragraphs more specifically paragraphs 3 & 4 of the compliance affidavit, we find that there is no willful disobedience of the order dated 6th November, 2020. The contents of Paragraphs 3 and 4 are extracted herein below:-

“***

3. That it is submitted that by order dated 6th November, 2020 the Hon'ble Court disposed of the writ petition with a direction to the Opposite Party No.1 to sanction the amount at an early stage and thereafter the Opposite Party No.2-Spl. L.A.O., UIIP, Kusumkhunti to take expeditious steps for disbursement of the compensation amount in favour of the Petitioners by the end of February, 2021.

4. That this deponent humbly submits that on the basis of Hon'ble Court's Order, the Govt. in WR Department after verifying all the documents vide letter No.18341, dtd.16.07.2022 sanctioned the decretal dues amounting to Rs.11,16,032/- in favour of the Petitioners. Thereafter, the Petitioners have already been paid the decretal dues amount on 22.07.2022 through E-payment by the Zone Officer, UIIP, Kusumkhunti (Opposite Party No.4) and further the Petitioners have also signed in the vouchers. Copy of sanctioned order and payment vouchers are annexed herewith as Annexure-A/4 Series.”

7. Accordingly, the contempt is dropped. Hence, the contempt petition is dismissed.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge