

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.7327 of 2017

General Manager, MCL **Petitioner**

-versus-

Gunanidhi Biswal & Ors. **Opposite Parties**

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
16.12.2022

Order No

10. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. S.D. Das, learned Sr. Counsel along with Mr. Haripad Mohanty, learned counsel for the Petitioner and Mr. Bhagaban Mohanty, learned counsel appearing for the Opp. Party.

3. It is the main contention of the learned counsel for the Petitioner that while disposing Land Acquisition Appeal Case No. 4 of 2004 in the National Lok Adalat vide order dtd.14.03.2015, nobody on behalf of the Petitioner was present there and in their absence the matter was disposed of on the consent of the learned State Counsel and learned counsel appearing for the Private Opp. Party.

4. Mr. B. Mohanty, learned counsel for the Private Opp. Party did not dispute the said stand of the learned counsel for the Petitioner. Since the matter has been disposed of in absence of the Authority of Mahanadi Coal Field Ltd. and the Petitioner herein was the Appellant in L.A. Case No. 4 of 2004, this Court is inclined to quash the order dtd.14.03.2015 and remits the matter for fresh disposal on merit by the assigned Bench.

(Biraja Prasanna Satapathy)
Judge

Sneha