

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7306 of 2020

Ramesh Pradhan

....

Petitioner

***Mr. P.C. Mishra,
Advocate***

-versus-

State of Odisha & others

....

Opposite Parties

***Mr. D.K. Mohanty,
Additional Standing Counsel***

**CORAM:
JUSTICE BISWAJIT MOHANTY
JUSTICE SAVITRI RATHO**

ORDER

07.09.2022

Order No.

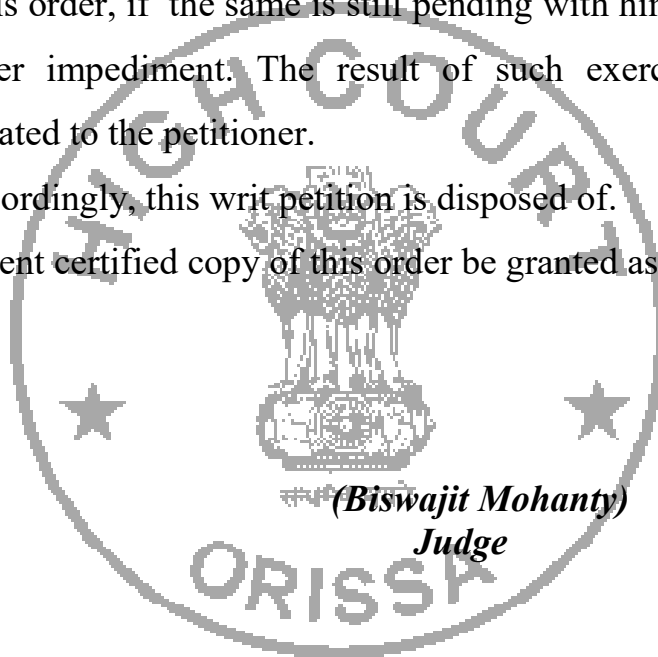
01. 1. Heard Mr. P.C. Mishra, learned counsel for the petitioner and Mr. D.K. Mohanty, learned Additional Standing Counsel.
2. According to Mr. Mishra, the petitioner is aggrieved by inaction of the Arbitrator-cum-Collector, Deogarh (Opposite Party No.2) in taking a decision on his application dated 09.07.2019 under Annexure-2 filed in connection with L.A. Case No. 18 of 2015 involving Plot Nos.281 and 297 pertaining to Khata No.47 covering an area of Ac.0.080 decimal falling in the village-Bolani under Barkote Tahasil in the district of Deogarh, in which he has made a grievance that instead of paying solatium to the extent of 100 %, only 30% solatium has been paid, which runs contrary to the Provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 read with National Highways Act, 1956. In such background, he

prays a direction be issued to the said Opposite Party to take a decision on the above noted application under Annexure-2 within a specific time period.

3. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs the Arbitrator-cum-Collector, Deogarh to dispose of the above noted application of the petitioner under Annexure-2 in accordance with law after giving an opportunity of hearing to the petitioner as well as all other beneficiaries connected with the above noted case within a period of three months from the date of receipt of certified copy of this order, if the same is still pending with him and if there is no other impediment. The result of such exercise shall be communicated to the petitioner.

4. Accordingly, this writ petition is disposed of.

5. Urgent certified copy of this order be granted as per rules.



(Savitri Ratho)
Judge

Balaram