

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 6884 of 2019

Nanda Prusty

.....

Petitioner

Mr.K.K.Jena, Advocate

Vs.

State of Odisha & Others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

06.12.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. Heard.

3. The present Writ Petition has been filed with the following prayer:-

“ (i) The notification vide Annexures-2 & 3 and the award vide Annexure-6 may be declared as invalid in view of the notification under section 4(1) of the L.A Act, dated 20.07.2011 vide Annexure-4.

(ii) That the withdrawal notification vide Annexure-10 with respect to the property vide Khata No.60, Plot No.1060, Area-Ac.0.095 dec. may also be declared as invalid.

(iii) That as the land is required for widening of the railway line, a direction may be issued to Opposite Parties to pass award with respect to schedule property as per the ground of valuation Annexure-5.

(iv) The Opposite Parties may be directed either to pass the award with respect to Khata No.60, vide Plot NO.1160, Area Ac.0.05 dec. within the stipulated period failing which the notification for acquisition of the said land may be declared as invalid.

(v) Any other relief or relieves may be granted on the facts and

circumstances of the case”.

4. In course of hearing, learned counsel for the Petitioner states that highlighting his grievances, the Petitioner has made a representation to Opposite Party No.1 vide Annexure-11 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.1 to consider the representation filed by the petitioner vide Annexure-11, and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat