

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 2188 of 2014

Sk. Faruk

.....

Petitioner

Mr. A.C. Sarangi, Adv.

Vs.

Collector, Jajpur and others

.....

Opposite Parties

Mr. P.K. Muduli, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

12.12.2022

Order No.

05.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner and Mr. P.K. Muduli, learned Addl. Government Advocate appearing for the State-opposite parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to include the case land in Tata package and to issue necessary Identity Card to the petitioner including his name in Tata package of Tata Steel Limited, so that the benefit can be admissible to him.

4. Learned counsel for the petitioner contended that the petitioner is a displaced person and, therefore, his name should be included in the list to extend the benefit of Tata Project. Due to non-inclusion of his name, the petitioner has approached this Court by filing the present writ petition.

5. Mr. P.K. Muduli, learned Addl. Government Advocate appearing for the State-opposite parties contended that the land of the petitioner has been acquired and, as such, the petitioner has already received the compensation. Therefore, his name has not been included in the list of land oustee for such project, which is not admissible to the petitioner. Therefore, the claim made by the petitioner in the present writ petition cannot be sustained in the

eye of law.

6. Having heard learned counsel for the parties and after going through the records, this Court finds that the land of the petitioner measuring Ac.0.36 decimals under plot no.629, which is located at the left side of the road leading from Jajpur Road to Duburi, comes under the Common Corridor area and not allotted to any industries individually. Furthermore, area measuring Ac.0.72 decimals under plot no.693 (P) and Khata No.105 of Mouza-Khurunti stood recorded in the name of the petitioner and his other three brothers situated at the right side of the road has also been acquired for which compensation and structure value has been received by the petitioner and his other three brothers. But from the local enquiry, it was found that the son of the petitioner Sk. Taher was residing in the house constructed on the plot no.629 at the left side of the road and the petitioner-Sk. Faruk was residing in the house over plot no.693 (P) at the right side of the road where his other brothers were residing. It was decided in the RPDAC that the families of village-Siaria displaced from the left side of the road coming under the common corridor area and adjacent to M/s JSL be allotted to JSL and 99 families residing on the right side of the road be allotted to M/s MISL as displaced persons. According to the decision of the RPDAC, the son of the petitioner Sk. Taher, who was residing in the left side of the road, was declared as displaced person and allotted to JSK. Sk. Taher son of the petitioner including other displaced persons from common corridor area at the left side of the road were noticed on 22.10.2013 to produce required documents for preparation and issue of identity card, which he has not yet produced. More so, no house site/structure belonging to the petitioner comes within the area allotted to M/s Tata Steel and, as such, the claim of the

petitioner to declare him as outstee of M/s Tata Steel has no merit for consideration. Further, the petitioner has already been declared as displaced persons and assigned to Mesco Steel in the year 1996 under R&R Guidelines and, therefore, his prayer to declare him as displaced person from the same village is beyond the Government Policy.

7. In the above view of the matter, the relief sought by the petitioner is not admissible. Accordingly, the writ petition merits no consideration and the same is hereby dismissed.

(DR. B.R. SARANGI)
JUDGE

Ashok



(B.P. SATAPATHY)
JUDGE