

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22061 of 2017

Kunaja Bihari Samal & another

Petitioners

Mr. D.Nayak,
Advocate

-versus-

State of Odisha & others

Opposite parties

Mr.D.K.Mohanty,
Addl. Standing Counsel

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

29.04.2022

Order No.

03. 1. Heard Mr.D.Nayak, learned counsel for the petitioners and Mr.D.K.Mohanty, learned Addl. Standing Counsel.

2. According to Mr.Nayak the petitioners are aggrieved by inaction of the authorities in disbursing the compensation amount to them though the authorities have acquired the following lands belonging to the petitioners:-

Lot No.1- Mouza-Boitalupatana, P.S. Binjharpur, P.S. No. 224, Khata No. 54, Plot No. 15, Ac.0.50 dec. Acquisition Ac.0.20 dec., Plot No. 20 area-Ac.0.02 dec., Plot No. 23 area-Ac.0.65 dec. Ac.0.15, Plot No. 24, Area-Ac.0.15 dec. Plot No. 21, Area-Ac.0.12 dec. (homestead), Plot No. 38 Ac.0.15 dec. Plot No. 53, area-Ac.0.10 dec.

Lot No.2- Mouza-Boitalupatana, P.S.-Binjharpur, P.S. No. 224, Khata No. 55, acquisition Ac.0.10 dec.

Lot No.3- Mouza-Boitalupatna, P.S. No. 224, Khata No. 53 Plot No. 22, Ac.0.01 dec. acquisition Ac.0.01 dec. homestead deity, Goddess Tarini.

Lot No.4-Mouza-Boitalupatana, P.S.-Binjharpur P.S. No. - 224, Khata No. 56, Plot No. 603, Ac.0.10 dec. acquisition

Ac.0.04 dec.

3. During course of hearing, learned counsel for the petitioners submits that liberty may be granted to the petitioners to file a representation before the Land Acquisition Officer, Jajpur (opposite party No.4) and further prays that a direction may be issued to the said opposite party to take a decision on the representation within a specific time period.

4. Considering such submissions and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioners to file a representation before opposite party No.4 along with a copy of this order through registered post within a period of two weeks hence. In the event, such representation is received by the opposite party No.4, he/she is directed to take a decision on the same in accordance with law within a period of six weeks from the date of receipt of such representation and communicate the result of such exercise to the petitioners. It is needless to say that while considering the representation, if the opposite party No.4 comes to a finding that the petitioners are entitled to get compensation, the same shall be disbursed to the petitioners as per their entitlement in accordance with law within a further period of six weeks.

5. The writ petition is accordingly disposed of.

6. Urgent certified copy of the order be granted on proper application.

Kishore

(Biswajit Mohanty)
Judge

(Biraja Prasanna Satapathy)
Judge