

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8528 of 2022

Bibhisan Naik & others

....

Petitioners

Mr. B.Tripathy,
Advocate

-versus-

State of Orissa & others

....

Opposite parties

Mr.D.Nayak,
Addl. Government Advocate

CORAM:

JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO

ORDER

Order No.

20.06.2022

01. 1. Heard Mr.B.Tripathy, learned counsel for the petitioners and Mr.D.Nayak, learned Addl. Government Advocate.
2. According to Mr.Tripathy the petitioners, who belong to Shankarpur are aggrieved by non-implementation of the decision taken in RPDAC meeting held on 23rd May, 2018 under Annexure-3 which lays down various guidelines vis-à-vis their village with regard to their rehabilitation and resettlement. He further submits that instead of extending the benefits under the Odisha Rehabilitation and Resettlement Policy, 2006, a notice has been issued under Annexure-4 for demolition of their old houses.
3. Mr.Nayak, learned Addl. Government Advocate submits that for redressal of their grievances the petitioners should have approached the grievance redressal mechanism as indicated under Clause-20 of Odisha Rehabilitation and Resettlement Policy, 2006 instead of rushing to this Court.

4. In such background Mr.Tripathy, learned counsel for the petitioners submits liberty may be granted to the petitioners to file individual representation before the Collector, Keonjhar (opposite party No.3) and further prays that a direction may be issued to the said opposite party to take a decision on their representations within a specific time period and in the interregnum their interest be protected.

5. Considering such submissions and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioners to file individual representation before opposite party No.3 along with a copy of this order by registered post within a period of two weeks hence. In the event, such representations are received by the opposite party No.3, he/she is directed to dispose of the said representations in accordance with law within a period of six weeks there from and communicate the result of such exercise to the petitioners. Till a decision is taken on such representations, no coercive action shall be taken against the petitioners.

6. The writ petition is accordingly disposed of.

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

Kishore

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge