

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.23411 of 2010

Pitu Krisani and Others

....

Petitioners

Mr. Prasanta Ku. Nanda, Advocate

-versus-

State of Odisha and Others

....

Opposite Parties

Mr. A.P. Das, Addl. Standing Counsel

CORAM:

THE CHIEF JUSTICE

JUSTICE R.K. PATTANAIK

Order No.

ORDER

06.01.2022

11. 1. The prayer in the present petition is for a direction to the Opposite Parties to pay to each of the Petitioners house building assistance with interest from 1994 onwards and also pay the maintenance allowances, transportation allowance and other rehabilitation facilities by recognizing each of the Petitioners as 'displaced persons' of the Upper Kolab Hydro Electric Project (UKHEP) in the district of Koraput.
2. It appears that the UKHEP was constructed in the late 1970s and the decision of the Government to rehabilitate those displaced by the UKHEP was taken way back in 1977. The actual submersion of the Petitioners' villages took place in 1984.
3. Although counsel for the Petitioners does not dispute that the predecessors-in-interest of the Petitioners have received the land acquisition compensation, he claims that they did not avail of the rehabilitation package which was available to the Upper Indravati Hydro Electric Project which was extended to the UKHEP by the

Government. For this purpose, he refers to a brochure dated 30th September, 2003.

4. The response of the State Government is that there was a definite cut-off date for availing of the benefits under each of the rehabilitation policies. In particular, reference is made to a resolution dated 5th May 1999. There was another resolution dated 30th September, 2004 giving one more chance those who had not availed the benefits, to approach the Government.

5. The present petition was filed only in the year 2010. Although the explanation given for the delay in approaching this Court is not very convincing, counsel for the Petitioner contends that even as of date the benefits of the rehabilitation package are being provided to displaced persons of the UKHEP. He accordingly seeks leave to withdraw this petition with liberty to approach the Government with a fresh representation demand for disbursal of the rehabilitation benefits to the Petitioners.

6. In that view of the matter, without expressing any opinion on the merits of the case, the writ petition is disposed of as withdrawn with liberty as prayed for.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge