

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.9979 of 2010

Bhomba Oram

....

Petitioner(s).

Mr.B.Sahoo,
Advocate

***Addl. District Magistrate,
Sundargarh & Ors.***

....

Opposite Party(s)

Mr. S.Mishra, ASC

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

13.09.2022

Misc. Case No.10545 of 2012

Order No.

03. 1 This is an application for substitution of the L.Rs. of the deceased petitioner.
2. Considering the petitioner has already died during pendency of the writ petition and vakalatnama being filed accompanied with the application, prayer for substitution stands allowed. Necessary correction be incorporated in the cause title.
3. I.A. stands disposed of.

(Biswanath Rath)
Judge

Sks

ORDER
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04. 1 Heard learned counsel appearing for the parties.
2. Sole question involved herein petitioner apprehended not being provided with land acquisition compensation in the appellate order involved appearing at Annexure-2. Reading through the referred order at Annexure-1 in acquisition of a proceeding under Section 3 A of Regulation 2/56, this Court finds the original authority came to observe as follows:

“ Perused the Written Argument dt.05.08.09 of the Respondent and Certified copy of Award Statement Sl.19 and Khata No.4 of Vill. Lungei in R.L.A. Case No.28/1958 submitted by the Appellant. Compensation amount have already been paid to the Recorded Tenant including father of the Respondent against Holding No.19. In response to this office L.No. 2456/20.10.09, the L.A.O., Sundargarh has also submitted his report that the case land was acquired vide Notification No.10366/11.09.1959 and accordingly Compensation amount of Rs.76/- was paid to the land owner- Budhu Oram S/O Ladro Oram, Dhania Oram W/O Etua Oram, Soma Oram S/O Etua Oram and Labir Oram W/O Soma Oram at vill. Lungei on dt.08.08.2959 and possession has also already handed over to Sri J.Behera, Asst. Engineer, P.W.D. Bridge on dt 11.03.1969 and R.A. & R.R. proposal has also been sent to the Tahasildar, Kuarmunda for correction of R.O.R.”

3. Reading the above, this court finds not only the land has already been acquired by the State but there is also payment of compensation to Bhoma Oram, the present petitioner. This writ petition is filed by Bhoma Oram for release of land acquisition benefit in favour of the petitioner already disclosed through Annexure-1. Since petitioner is already paid with land acquisition compensation, the order passed in Annexure-2 remain immaterial. Consequently, the writ petition stands dismissed.

(Biswanath Rath)
Judge

sks