

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9869 of 2022

Swapneswar Sahoo **Petitioner**

*Mr. B.C. Panda,
Advocate*

-versus-

State of Odisha & others **Opp. Parties**

*Mr. H.M. Dhal,
Additional Government Advocate*

**CORAM:
JUSTICE BISWAJIT MOHANTY
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
26.04.2022**

Order No.

- 03.
1. Heard Mr. B.C. Panda, learned counsel for the petitioner and Mr. H.M. Dhal, learned Additional Government Advocate.
 2. According to Mr. Panda, when the grievance of the petitioner is pending before the Court of L.A.R & R Authority, Sambalpur in L.A. Case No.11 of 2020 pursuant to reference made under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013, an attempt is being made by the authorities to dispossess the petitioner from the case land. In this context, he also submits that by virtue of the document at Annexure-9, while other landholder has been offered higher quantum of compensation with regard to his land under the same khata and in same mouza, the petitioner has been discriminated.
 3. Mr. Dhal, learned Additional Government Advocate submits that when the matter is pending before the L.A.R & R Authority, Sambalpur instead of approaching this Court, the petitioner should have approached the said authority for mitigating his

grievances, if any, as under Section 60 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013, the authority has been vested with powers to do justice.

4. Considering the submissions made, this writ petition is disposed of permitting the petitioner to file the document at Annexure-9 before the L.A.R & R. Authority, Sambalpur and if so advised, along with an application for interim protection within a week. In the event such an application is filed along with a copy of this order, the authority is directed to take a decision on such interim application in accordance with law within a period of two weeks thereafter. Till the above noted steps are taken within a week, the petitioner shall not be dispossessed from Plot Nos.797 & 997/4324 of M.S. Khata No.225 in mouza Padampur covering respectively an area of Ac.0.50 decimals & Ac.0.32 decimals if not already dispossessed.

5. Urgent certified copy of this order be granted on proper application.



(Biswajit Mohanty)
Judge

(Biraja Prasanna Satapathy)
Judge

Prasant