

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11158 of 2022

Sanatan Bhuiyan

....

Petitioner

*Mr. T. Dash,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. D.K. Mohanty,
Additional Standing Counsel*

**CORAM:
JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO**

ORDER

20.06.2022

Order No.

- 01.
1. Heard Mr. T. Dash, learned counsel for the petitioner and Mr. D.K. Mohanty, learned Additional Standing Counsel.
 2. Mr. Dash files the Advocate Welfare Fund Fee of Rs.50/- along with a memo in Court today. The same is taken on record.
 3. According to Mr. Dash, the petitioner is aggrieved by the inaction of the authorities in not paying him compensation with regard to Plot Nos.1283 & 1284 pertaining to Khata No.612 of mouza-Atta coming under Sukinda Tahasil in the district of Jajpur though those plots are acquired in the year 2021 for construction of Rengali Left Canal, Sukinda. He fairly submits that the above noted plots were/are in the name of the petitioner's late father Gopal Bhuiyan as indicated in the sale deed under Annexure-1.
 4. Mr. D.K. Mohanty, learned Additional Standing Counsel submits that since the father of the petitioner was the owner of the land and has died, compensation, if any, should be paid to all the legal heirs of his late father and the same cannot be paid

to petitioner alone and for the said purpose, the petitioner should file a fresh representation along with the legal heir certificate.

5. In such background, Mr. Das submits that liberty may be granted to the petitioner to move the Zone Officer, Rengali Left Canal, Sukinda (opposite party No.4) in the matter by filing a fresh representation and the said opposite party be directed to take a decision on such representation within a specific time period.

6. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to file a representation before the Zone Officer, Rengali Left Canal, Sukinda (opposite party No.4) within a period of six weeks from today through registered post. In the event, such a representation is filed along with legal heir certificate of the late father of the petitioner and a copy of this order, the opposite party No.4 is directed to take a decision on the same in accordance with law within a period of three months from the date of receipt of such representation after hearing the petitioner as well as the other legal heirs and communicate the result of such exercise to all the legal heirs including the petitioner.

7. Accordingly, this writ petition is disposed of.

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

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge