

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 15335 of 2015

Ashapura Biro

.....

Petitioner

Mr. P.C. Das, Adv.

Vs.

*Special Land Acquisition Officer-
cum-R&R R.O. (MIP) & Ors.*

.....

Opposite Parties

Mr. H.M. Dhal, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

12.12.2022

Order No.

05.

This matter is taken up through hybrid mode.

2. Heard Mr. P.C. Das, learned counsel appearing on behalf of Mr. P.C. Jena, learned counsel for the petitioner and Mr. H.M. Dhal, learned Addl. Government Advocate appearing for the State-opposite parties.

3. Against the order dated 13.03.2015 passed by the Civil Judge (Sr. Division), Paralakhemundi in C.M.A. No. 3 of 2012 under Section 30 of the Land Acquisition Act, 1894, the petitioner has approached this Court by filing the present writ petition.

4. Mr. H.M. Dhal, learned Addl. Government Advocate appearing for the State-opposite parties contended that the order impugned is appealable one as per Section 54 of the Land Acquisition Act, 1894. As such, without exhausting that forum, the petitioner has approached this Court by filing the present writ petition, which is not maintainable.

5. Having heard learned counsel for the parties and after going through the records, since the order impugned is appealable one, this Court is not inclined to entertain this writ petition. However, liberty is granted to the petitioner to pursue his remedy before the appropriate forum in accordance with law.

6. With the aforesaid liberty, the writ petition stands disposed of.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok

(B.P. SATAPATHY)
JUDGE

