

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13388 of 2022

Jagannatha Panda and others* *Petitioners

Mr. B. Mohanty, Advocate

-versus-

State of Odisha & others* *Opp. Parts

*Mr.A.K. Sharma,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
31.05.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard the learned counsel for the petitioner and learned counsel for the State.

This writ petition has been filed by the petitioners on being dissatisfied with the quantum of compensation that was paid to them after acquisition of their land measuring an area Ac.2.440 dec., Kisam-Sarada Do-Phasal I under Hal Khata No.404 of mouza-Banapur in the District of Jajpur.

From the averments taken in the writ petition, it appears that opposite party no.4 has transferred a sum of Rs.4,41,827/-(rupees four lakhs forty one

thousand eight hundred twenty seven) to each of the petitioner nos.1 to 3 on 08.04.2022 and Rs.4,41,826/- (rupees four lakhs forty one thousand eight hundred twenty six) to each of the petitioner nos.4 to 6 on 11.04.2022. There is no dispute that the land was acquired and compensation was determined as per the provisions of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (hereafter in short, the 'Act'). Sub-section (2) of section 10 of the said act reads as follows :

"10.Compensation- (1) xx xx xx xx

(2) If the amount of compensation determined by the competent authority under sub-section (1) is not acceptable to either of the parties, the amount of compensation shall, on application by either of the parties to the District Judge within the limits of whose jurisdiction the land or any part thereof is situated, be determined by that District Judge."

Thus, in view of the aforesaid provision in the Act, it appears that the petitioners have got an alternative remedy and if they are dissatisfied with the award of compensation, they can approach the learned District Judge, within whose jurisdiction the land or any part thereof is situated, for appropriate remedy.

Learned counsel for the petitioners submits that he wants to withdraw this writ petition with liberty to approach the learned District Judge in accordance with law.

In view of such submission, with the aforesaid liberty, this writ petition stands disposed of as withdrawn.

Issue urgent certified copy as per Rules.



PKSahoo