

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14702 of 2022

Biharilal Jaiswal

....

Petitioner

*Mr. B.R. Barik,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

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

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

ORDER

22.07.2022

Order No.

02.

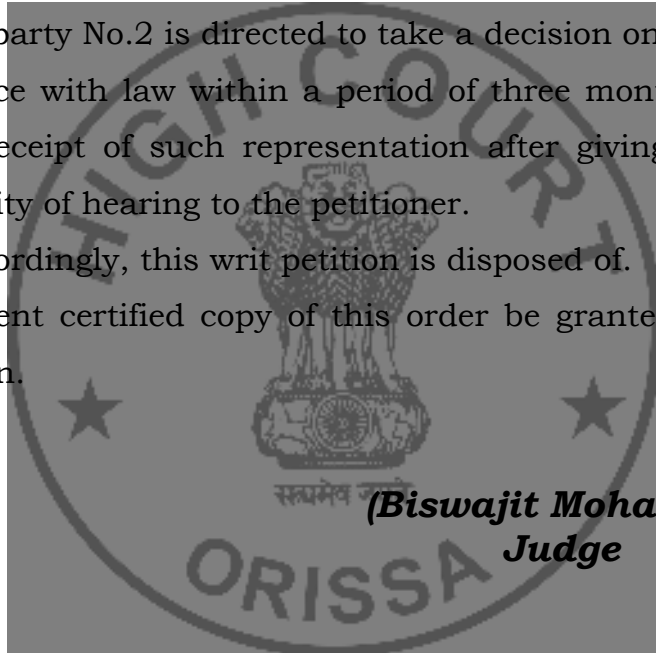
1. Heard Mr. B.R. Barik, learned counsel for the petitioner and Mr. D.K. Mohanty, learned Additional Standing Counsel.
2. According to Mr. Barik, though the Plot No.1396 falling under Khata No.162 of village Uparpada in the district of Sundargarh belonging to the petitioner, has been acquired by the authorities for construction of canal of Rukura Irrigation Project, Bonai and though the award was made in his favour but the amount of compensation has not yet been disbursed and instead the same has been kept in civil deposit vide challan No.34 dated 09.10.2020.
3. Mr. Mohanty submits that for getting payment of compensation instead of rushing to this Court, the petitioner should have approached the Collector & District Magistrate, Sundargarh (opposite party No.2) first.
4. In such background, Mr. Barik submits that liberty may be granted to the petitioner to approach the Collector & District Magistrate, Sundargarh by filing a representation praying for

release of the compensation amount vis-à-vis the above noted land which has been acquired for construction of canal of Rukura Irrigation project and the said opposite party be directed to take a decision on such representation within a specific time period.

5. 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 Collector & District Magistrate, Sundargarh (opposite party No.2) along with supporting documents through registered post within a period of two weeks from today. In the event, such a representation is received along with a copy of this order, the opposite party No.2 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 giving reasonable opportunity of hearing to the petitioner.

6. Accordingly, this writ petition is disposed of.

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



(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

Prasant