

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.14761 of 2022
(Through hybrid mode)**

Fulendra Pan @ Kankra and others

Petitioners

Mr. Biswajit Mohapatra, Advocate

-versus-

State of Odisha and others

Opposite Parties

Mr. A.K. Sharma, AGA

CORAM: JUSTICE ARINDAM SINHA

**ORDER
30.06.2022**

Order No.

- 01.** 1. Mr. Mohapatra, learned advocate, appears on behalf of petitioners and submits, their land has been taken over by Dongabandha Government U.P. School. His clients applied to the Collector for compensation. Said authority remained unmoved, which is why his clients are before Court. He draws attention to representation dated 14th March, 2011, whereby his clients ventilated their grievance regarding nonpayment of compensation to the Collector, Sundargarh.
2. Mr. Sharma, learned advocate, Additional Government Advocate appears on behalf of State and submits, the School and Mass Education Department has to be made party, as the school who is alleged to have occupied petitioners' land is under the department.

3. Petitioners' case appears to be that occupation by the school is otherwise than pursuant to a due process of acquisition. In the circumstances, opposite party no.2 is directed to consider and deal with said representation dated 14th March, 2011. Said opposite party will make finding on whether the school is occupying land belonging to petitioners and if so cause initiation of acquisition proceeding for purpose of assessment and payment of compensation. If said opposite party finds there is no encroachment, same will be informed to petitioners, on demonstration that they have possession of land claimed by them. This is to be done within four weeks of communication of this order and copies of said representation as well as further representation dated 5th February, 2021.

4. The writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant