

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17380 of 2022

Kabiraj Samal

....

Petitioner

*Mr. S.B. Mohanty,
Advocate*

-versus-

Union of India & others

....

Opp. Parties

*Mr. S. Panda,
Central Government Counsel
(For opposite party Nos.1 to 4)*

*Mr. H.M. Dhal,
Additional Government Advocate
(For opposite party Nos.5 to 7)*

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

ORDER

26.07.2022

Order No.

01.

1. Heard Mr. S.B. Mohanty, learned counsel for the petitioner, Mr. P.K. Padhi, learned Assistant Solicitor General of India for Odisha and Mr. H.M. Dhal, learned Additional Government Advocate.

On oral prayer, Mr. Mohanty is permitted to correct the description of opposite party No.4 in the cause title in Court today.

2. According to Mr. Mohanty, the petitioner, who has lost the right of user in his land to Gas Authority of India Ltd in the year 2018 on account of construction of Receiving Terminal at Angul as a part of JHBDPL Project, though has received some amount of compensation, however, while making such payment, the authorities have not taken into account the provisions of Right to Fair Compensation and Transparency in Land Acquisition,

Rehabilitation and Resettlement (Removal of Difficulties) Order, 2015 and consequently Right to Fair Compensation and Transparency in Land Acquisition Act, 2013. According to Mr. Mohanty had that order and the above noted Act had been taken into account, the petitioner would have got much more compensation.

3. During course of hearing, Mr. Mohanty submits that liberty may be granted to the petitioner to file a fresh grievance petition before the Deputy General Manager (GAIL)-Cum-(Competent Authority), Bhubaneswar (opposite party No.4) for redressal of his above noted grievances and he further prays that the said opposite party be directed to take a decision on such motion within a specific time period.

4. 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 grievance petition before the Deputy General Manager (GAIL)-Cum-(Competent Authority), Bhubaneswar (opposite party No.4) through registered post within a period of two weeks from today. In the event, such a petition along with a copy of this order is received by the opposite party No.4, he/she 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 grievance petition after giving an opportunity of hearing to the petitioner. The opposite party No.4 is also directed to communicate the result of such exercise to the petitioner.

5. Accordingly, this writ petition is disposed of.

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

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge