

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17458 of 2022

Srinibash Maity

....

Petitioner

*Ms. D. Mohanty,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

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

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

ORDER

03.08.2022

Order No.

01.

1. Heard Ms. D. Mohanty, learned counsel for the petitioner and Mr. D.K. Mohanty, learned Additional Standing Counsel.

At the outset, Ms. Mohanty is permitted to implead the Secretary of the Managing Committee of the Jatindranath Vidyapitha as opposite party No.5 in the cause title in Court today.

2. According to Ms. D. Mohanty, the petitioner is aggrieved by the inaction of the authorities in paying him compensation with regard to acquisition of right of user in land in the land belonging to his late father namely, Srikrushna Maity. His further case is that inadvertently, the compensation for the plot belonging to his late father, on which right of user has been acquired for the purpose of taking the pipeline under the provisions of Petroleum and Minerals, Pipelines (Acquisition of Right of User in Land), Act, 1962 has been disbursed in favour of Jatindranath Vidyapitha. Though highlighting all his grievances, the petitioner has sent a representation to the

Competent Authority (opposite party No.4) under Annexure-4 series through speed post on 15.02.2022 but, till date no decision has been taken on such representation. In such background, she prays that that a direction be issued to the Competent Authority (opposite party No.4) to take a decision on the above noted representation within a specific time period.

3. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs the Land Acquisition Officer-cum-Competent Authority, Odisha, GAIL India Limited (opposite party No.4) to take a decision on the above noted representation of the petitioner under Annexure-4 series in accordance with law keeping in mind the interest of all the legal heirs of the original recorded tenant namely, Srikrushna Maity, late father of the petitioner within a period of eight weeks from the date of receipt of a certified copy of this order after giving opportunity of hearing to the petitioner as well as opposite party No.5 and communicate the result of such exercise to the petitioner.

4. Accordingly, this writ petition is disposed of.

5. Urgent certified copy of this order be granted on proper application in course of the day.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

Prasant