

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.18794 of 2022

Prafulla Behera and others

.....

Petitioners

Mr.S.R.Subudhi, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. H.M.Dhal, AGA

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE SAVITRI RATHO

ORDER

22.08.2022

Order No.

01.

1. Heard Mr.S.R.Subudhi, learned counsel for the petitioners and Mr.H.M.Dhal, learned Addl. Government Advocate for the State.

2. At the outset, Mr. Subudhi, learned counsel for the petitioners prays that the present writ petition be confined to petitioner No.3 only and rest of the petitioners be granted liberty to file separate writ petitions.

3. Considering such submission, the writ petition is confined to petitioner No.3 only while granting liberty to rest of the petitioners to file separate writ petitions.

4. According to Mr. Subudhi, though the land of petitioner No.3-Dhiren Sahoo has been acquired and he has been paid compensation during 2016 as per Annexure-2, however till date, he has not been extended with other benefits under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and

Resettlement Act, 2013 and Rules made thereunder along with Orissa Resettlement and Rehabilitation Policy, 2006.

5. During course of hearing, learned counsel for the petitioners submits that liberty may be granted to the petitioner No.3 to move the Collector and District Magistrate, Angul (opp. party No.2) in the matter and further prays that a direction may be given to the said opp. party No.2 to take a decision on such motion within a stipulated time period.

6. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner No.3 to file an appropriate representation before the Collector and District Magistrate, Angul (opp. party No.2) within a period of two weeks along with a copy of this order by Registered Post. In the event, such a representation is received by the above noted officer, he/she is directed to take a decision on such representation in accordance with law, within a period of three months from the date of receipt of the certified copy of this order and communicate the result of such decision to the petitioner No.3.

7. With the above observation and direction, the writ petition is disposed of.

8. Urgent certified copy of this order be granted as per rules.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge