

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.19171 of 2022

***Jayanta Kumar Mahapatra and
another***

.....

Petitioners

Mr.Manoj Ojha, 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.Manoj Ojha, learned counsel for the petitioners and Mr. H.M.Dhal, learned Additional Government Advocate.

2. According to learned counsel for the petitioners, the petitioners are aggrieved by the quantum of compensation awarded by the authorities vis-a-vis acquisition of part of the land covered by Plot Nos. 335 and 347, falling under Khata No.94 of Mouza:Hatijhari in connection with L.A. Case No.20 of 2019. According to him, the quantum of compensation indicated at Annexure-5 at Rs.2,49,539/- by the Zone Officer-cum-L.A. Collector, Mayurbhanj vide his letter dated 03.06.2022 is much less vis-a-vis the bench mark valuation of the land prescribed for that area.

3. Mr.Dhal submits that for such purposes, the petitioners should have approached the appropriate authority i.e. opposite party No.2

under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Act, 2013 instead of rushing to this Court.

4. In such background, learned counsel for the petitioners submits that liberty may be granted to the petitioners to approach the Zone Officer-cum-L.A. Collector, Mayurbhanj (opposite party No.2) in the matter by filing a representation and the said opposite party be directed to take a decision on such motion 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 petitioners to file a representation before opposite party No.2 through registered post within a period of two weeks from today. In the event, such a petition is filed 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 two weeks from the date of receipt of such representation and communicate the result of such exercise to the petitioners.

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