

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23716 OF 2021

Sarat Dal and another

....

Petitioners

Mr. Bijaya Kumar Behera, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. H.M. Dhal,

Additional Government Advocate

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE K.R.MOHAPATRA

ORDER

07.01.2022

Order No.

01. This matter is taken up through Video Conferencing Mode.
2. Heard Mr. Behera, learned counsel for the Petitioner and Mr. Dhal, learned AGA.
3. According to Mr. Behera, the Petitioners are aggrieved by non-extension of benefits of rehabilitation assistance to the displaced persons like them whose lands have been acquired for Lower Indra Irrigation Project, Khariar in the district of Nuapada. According to him, they are not only entitled to the benefits under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 but also under Odisha Resettlement and Rehabilitation Policy, 2006. He further submits that though the Collector, Nuapada, vide letter dated 18th July, 2020 (Annexure-3) has submitted the revised estimates for extension of benefits of rehabilitation assistance to the displaced persons like the Petitioners to Opposite Party No.2 but till date nothing has been done in the matter.
4. Mr. Dhal, learned AGA, on the other hand, submits for redressal of such grievances, the Petitioners should have

approached the Director (R & R)-cum-Additional Secretary to Government, Department of Water Resources, Odisha, Bhubaneswar (OP No.2) to whom the letter under Annexure-3 has been addressed instead of approaching this Court.

5. In such background, Mr. Behera submits that the Petitioners may be granted liberty to move the Opposite Party No.2 by filing comprehensive representation and direction be issued to the said Opposite Party to take a decision on the said representation with a specified time.

6. Considering the submissions made and without expressing any opinion on the merit of the case, this Court grants liberty to the Petitioners to file a comprehensive representation to the Opposite Party No.2 within a period of two weeks hence along with certified copy of this order. In the event, such representation is received by Opposite Party No.2, he/she shall take a decision on the same in accordance with law within a period of eight weeks there from and communicate result of such exercise to the Petitioner No.1, who in turn shall share such information with Petitioner No.2.

7. With the direction as aforesaid, the writ petition is disposed of.

Issue urgent certified copy of the order on proper application.

(Biswajit Mohanty)
Judge

(K.R. Mohapatra)
Judge