

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 20380 OF 2022

Harisingh Majhi & others

***..... Petitioners
Mr. B.K. Panda, Advocate***

-versus-

State of Odisha & others

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

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE SAVITRI RATHO

ORDER

25.08.2022

Order No.

01.

1. Heard Mr. B.K. Panda, learned counsel for the petitioners and Mr. D.K. Mohanty, learned Additional Government Advocate.

2. According to Mr. Panda, learned counsel for the petitioners though on a reference under Section-18 of the Land Acquisition Act, 1894, judgment in L.A. R. No. 58 of 2012 has been pronounced on 12th January, 2018 in favour of the petitioners by the learned Senior Civil Judge, Nuapada under Annexure-1, but till date no payment has been made by the Opposite Party No.3 in tune of the said judgment.

3. Mr. Mohanty, learned Additional Standing Counsel submits that for redressal of such grievances, the petitioners should have approached the Special Land Acquisition Officer-cum-R & R Officer, Lower Indra Irrigation Project, Nuapada-Opposite Party No.3 instead of rushing to this Court. In such

background Mr. Panda submits that liberty may be granted to the petitioners to approach Opposite Party No.3 in the matter by filing a representation and further prays that a direction be issued to the said Opposite Party to dispose of the same 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 petitioners to file an appropriate petition before the Opposite Party No.3 within a period of two weeks from today along with a copy of the judgment under Annexure-1 and copy of this order by registered post. In the event, such a petition is received by the Opposite Party No.3, he is directed to take a decision on the same in accordance with law within a period of four weeks hence from the date of receipt of such representation. In the event, it is found that there is no impediment in paying the compensation as directed by the Learned Senior Civil Judge, Nudapada, he shall take all steps to distribute the same to the petitioners within four weeks thereafter.

5. Accordingly, the Writ Petition is disposed of.

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

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge