

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20802 of 2022

Manoj Kumar Tripathy & others* *Petitioners

*Mr. A. Pattanaik,
Advocate*

-versus-

State of Odisha & others* *Opp. Parties

*Mr. H.M. Dhal,
Additional Government Advocate*

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

ORDER

07.09.2022

Order No.

- 02.
1. Heard Mr. A. Pattanaik, learned counsel for the petitioners and Mr. H.M. Dhal, learned Additional Government Advocate.
 2. According to Mr. Pattanaik, the petitioners are aggrieved by the inaction of the authorities in returning their land i.e. Plot No.1212/1611(S) pertaining to Khata No.326/8 of Mouza-Ghatikia falling under Khandagiri P.S., Bhubaneswar which originally belonged to them before acquisition, as despite taking of possession of the said land more than five years back, such land has remained unutilized and the petitioners continue to occupy the same. In this connection, he relies on the provision of Section 101 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. He further submits that till date the petitioners have not received the compensation.
 3. During course of hearing, Mr. Pattanaik submits that

liberty may be granted to the petitioners to approach the Commissioner-cum-Secretary, Revenue & Disaster Management Department, Government of Odisha by filing a representation for redressal of their grievances and the above noted officer be directed to take a decision on such motion 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 a representation before the Commissioner-cum-Secretary, Revenue & Disaster Management Department, Government of Odisha through registered post within a period of two weeks from today along with a copy of this order. In the event, such a representation is received, the above noted officer is directed to take a decision on the same in accordance with law within a period of three months from the date of receipt of such representation and communicate the result of such exercise to the petitioner No.3, who in turn is directed to share such information with rest of the petitioners.

5. Till a decision is taken on the representation of the petitioner, no coercive action shall be taken against the petitioners vis-à-vis the above noted plot.

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