

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C). No.21308 of 2022

Biswanath Panda

.... ***Petitioner(s).***

Mr.S.K.Pradhan-3, Advocate

-versus-

State of Odisha & Ors.

.... ***Opposite Party(s)***

Mr. S.Ghose, AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
19.09.2022

Order No.

01. 1. Heard learned counsel appearing for the parties.

2. This writ petition involves the following prayer:

“It is therefore prayed that Your Lordships would graciously please to consider the facts stated above and pass order directing the opp. parties No.2 and 3.

A) To take necessary steps to record an area of Ac.0.12 decimals from plot no.114 in the name of the petitioner in lieu of plot no.1198 of Khata No.239 of Mouza-Andeigoda under Tahasil-Rasulpur in the district of Jajpur;

B) To initiate appropriate proceeding to acquire the property of the petitioner in question on payment of adequate compensation if the opp. parties want to retain the land for public purpose;

C) To pay rent/compensation for the entire back period i.e. from the date (28.04.1998) of illegal occupation of the opp. parties till the land finally acquired on payment of compensation within a stipulated time;

AND if they do not want to retain the property of petitioner, then give vacant possession to the petitioner along with rent/compensation for the entire back period i.e. from the date (28.4.1998) of illegal occupation;

And any order Your Lordships deem just and proper;

And for this act of kindness the petitioner shall as on duty bound ever pray.”

3. Annexure-4 since pending on self same issue before the Collector, Jajpur, this Court finds the writ petition becomes premature at this stage. However, in disposal of the writ petition, this Court directs the Collector, Jajpur, Opposite party no.2 to have a look to the request of the petitioner vide Annexure-4 and do the needful in the exchange of property of the petitioner by completing the entire exercise

within a period of two months from the date of communication of certified copy of this order by the petitioner.

4. A free copy of this order be handed over to the learned State Counsel for doing the needful.

sks

(Biswanath Rath)
Judge

