

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21518 of 2022

Dolamani Sahu

....

Petitioner

*Mr. P.K. Nayak,
Advocate*

-versus-

State of Odisha & others

....

Opp. Parties

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

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

ORDER

08.09.2022

Order No.

- 01.
1. Heard Mr. P.K. Nayak, learned counsel for the petitioner and Mr. H.M. Dhal, learned Additional Government Advocate.
 2. According to Mr. Nayak, the grievance of the petitioner is that though the persons namely, Hrushikesh Sahu, Sushil Sahu, Bunda Sahu and Khitesh Sahu are not entitled to get any compensation in connection with L.A. Case No.01 of 2020 however, vide notice dated 02.04.2022 issued under Annexure-2, they were invited to receive compensation in connection with the Khata No.76 of Badamala Mouza in the district of Jharsuguda. However, he further submits that till date the compensation amount has not been disbursed.
 3. Mr. Dhal in his reply submits that for such purpose, the petitioner should have approached the Collector, Jharsuguda (opposite party No.2) for referring this matter to the appropriate authority under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 instead of rushing to this Court.

4. In such background, Mr. Nayak submits that liberty may be granted on the petitioner to file an application before the Collector, Jharsuguda (opposite party No.2) for referring of the matter to the Land Acquisition, Rehabilitation and Resettlement Authority for deciding the said issue. He further submits that the said opposite party be directed to take a decision on such application 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 petitioner to file an application before the Collector, Jharsuguda (opposite party No.2) through registered post within a period of two weeks from today. In the event, such an application 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 four weeks from the date of receipt of such application and communicate the result of such exercise to the petitioner.

6. Till the matter is referred to the Land Acquisition, Rehabilitation and Resettlement Authority no disbursement of compensation in connection with L.A. Case No.01 of 2020 shall be made by the Tahasildar, Jharsuguda (opposite party No.3), if the same has not yet been disbursed.

7. Accordingly, this writ petition is disposed of.

8. Urgent certified copy of this order be granted on proper application.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge