

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.25836 of 2022

Sambit Bal & Another

.....

Petitioners

Mr. B. Lenka, Advocate

Vs.

*The State of Odisha &
Another*

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

19.12.2022

Order

No.

01.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.
3. The present Writ Petition has been filed with the following prayer:-

“(A) It is therefore prayed that the Hon’ble Court be graciously pleased to admit this petition, issue a Rule Nisi and call on the opposite parties specifically to Opposite Party No.2 to show cause as to why a direction/writ shall not be issued against him to make reference of petitioners application dt.14.09.2020 u/Section 64 of the Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013 at Annexure-4 to the Presiding officer, LAR & R Authority, Odisha, Cuttack.

And in the event of Opposite Parties do not show cause or show insufficient cause then after hearing the petitioners the Hon’ble Court may be pleased to pass an order in favour of the Petitioners.

And issue an appropriate writ directing Opposite party No.2 to refer Petitioners application for consideration under Section 64 of the aforesaid Act to the appropriate authority as stated above for consideration of

Petitioners claim in Annexure-4

And under the facts and circumstances of this case petitioners if found to be not made an appropriate prayer for the required relief, Hon'ble Court may please be liberally condone the petitioners' mistake as a bonafide one and may be pleased to pass any such other just and appropriate orders/directions/writs against the opposite parties in the ends of justice and please be favour of the petitioners.

4. In course of hearing, learned counsel for the Petitioners states that highlighting their grievances, the Petitioners have made a representation to Opposite Party No.2 vide Annexure-7 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioners vide Annexure-7 and pass appropriate order in accordance with law within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Alok/Sangita