

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC NO. 6178 of 2022

Mahima Naik

....

Petitioner

Mr.Achyuta Nanda Pattanaik, Advocate

-versus-

Abhi Manu Behera, OAS

....

Opp. Party

Mr. L. Samantaray, AGA

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S.SAHOO**

ORDER (Oral)

26.10.2022

Order No.

- 01.** **1.** This matter is taken up through virtual mode.
- 2.** Petitioner represented by her daughter and power of attorney holder has filed the present contempt alleging willful disobedience of the order dated 19.1.2022 passed by this Court in W.P.(C) No. 6178 of 2022 whereby the Additional District Magistrate, Resettlement & Rehabilitation-cum-Revenue Officer, Mahanadi Coal Field Ltd., Sundargarh was directed to dispose of the dispute regarding genealogy within three weeks by passing a reasoned order after providing opportunity of hearing to all the affected parties. The entire exercise was required to be completed within three months and till then no compensation in respect of the lands acquired for mining purpose by the Mahanadi Coal Fields Ltd was to be disbursed to any of the parties.
- 3.** At the time of hearing, it is pointed out that the petitioner claim to be a legal heir of a tenant over the area which was acquired by the MCL for the purpose of mining. However, it is further pointed out that the aforesaid officer concerned has no jurisdiction in respect of the claim made in the backdrop of

procedure provided under the Coal Bearing Areas (Acquisition & Development) Act, 1957. It is claimed that the said Act is providing for determination of such issues by the Tribunal constituted under the said Act. Learned counsel for the petitioner is unable to rebut the aforesaid contentions.

4. In view of the above, we find no ground to invoke or pursue the present contempt.

(Jaswant Singh)
Judge

(M.S.Sahoo)
Judge

October 26th, 2022
Cuttack

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