

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32596 OF 2021

Mahima Naik

**..... *Petitioner*
Mr. Achyutananda Pattanaik,
*Advocate***

-versus-

Chairman-cum-MD., Sambalpur & Ors.

**..... *Opposite Parties*
*Mr. H.M. Dhal, AGA***

**CORAM:
JUSTICE C.R. DASH
JUSTICE SAVITRI RATHO**

**ORDER
19.01.2022**

**Order No.
02.**

1. This matter is taken up through Virtual Mode.
2. Heard learned counsel for the parties.
3. The petitioner being a land oustee for establishment of mining area of the Mahanadi Coalfield Limited, the question regarding land acquisition and the question regarding payment of compensation is stated to be pending before the Additional District Magistrate, Resettlement & Rehabilitation –cum- Revenue Officer, MCL, Sundargarh (Opposite Party No.4).
4. The grievance of the petitioner is that, the genealogy adopted by the learned ADM vide Annexure-2 is a faulty genealogy and some outsiders have been shown there in the

genealogy being the descendants of Balabhadra Raudia, father of the petitioner.

5. It is alleged that, the Opposite Parties-11 and 12 are going to be illegally benefited by the wrong genealogy.

6. In view of such fact, it is submitted by learned counsel for the petitioner that, the ADM, Sundargarh (Opposite Party No-4) is to decide the issue of genealogy before proceeding to grant compensation.

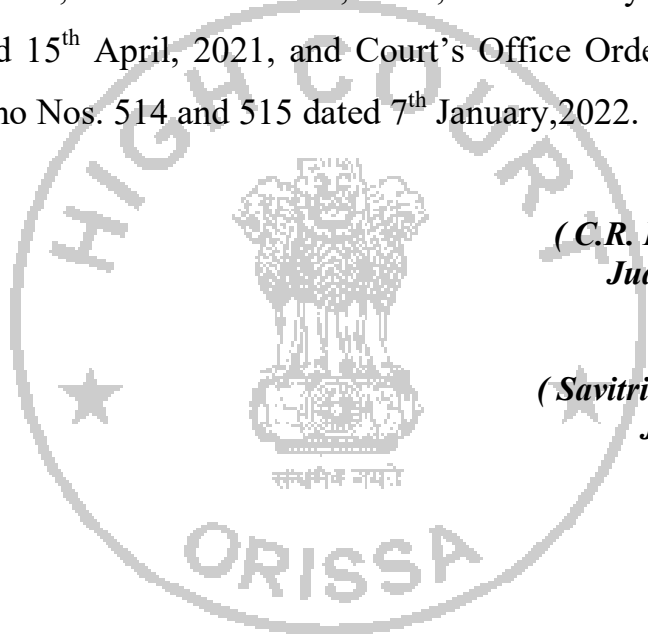
7. Regard being had to the facts and submissions and the nature of relief sought for, the writ petition is disposed of directing the petitioner to file a detailed petition before the Additional District Magistrate, Resettlement & Rehabilitation – cum- Revenue Officer, MCL, Sundargarh (Opposite Party No.4) within three weeks from today, If such a petition disputing the genealogy is filed before the ADM, Sundargarh (Opposite Party No.4), the same shall be disposed of in accordance with law, by passing a reasoned order, after giving opportunity of hearing to all the parties concerned. The entire exercise be completed within a period of three months from the date of receipt of a certified copy of this order.

8. Till a decision is taken, no compensation shall be disbursed in favour of any of the parties.

9. The writ petition is accordingly disposed of.

10. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

Balaram



(C.R. Dash)
Judge

(Savitri Ratho)
Judge