

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 27708 of 2022

Hosan Khan & Ors.

.....

Petitioner

Mr. M.Ojha, Advocate.

Vs.

State of Odisha & Others

.....

Opposite Parties

Mr. S. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

15.11.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. M. Ojha, learned counsel for the petitioner and Mr. S. Nayak, learned Addl. Standing Counsel appearing for the State-opposite parties.

3. According to learned counsel for the petitioner, the petitioners are aggrieved by the quantum of compensation awarded by the authorities vis-a-vis acquisition of part of the land covered by Plot No.334, falling under Khata No.378 of Mouza: Hatijhari in connection with L.A. Case No.20 of 2019. According to him, the quantum of compensation indicated at Annexure-4 at Rs.1,20,989/- by the Zone Officer-cum-L.A. Collector, S.I.P., Baripada Zone, Mayurbhanj vide his letter dated 03.06.2022 is much less vis-a-vis the bench mark valuation of the land prescribed for that area.

4. Mr. S. Nayak, learned Addl. Standing Counsel appearing for the State-opposite parties submits that for such purposes, the petitioners

should have approached the appropriate authority i.e. opposite party No.2 under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Act, 2013 instead of rushing to this Court.

5. In such background, learned counsel for the petitioners submits that liberty may be granted to the petitioners to approach the Zone Officer-cum-L.A. Collector, Mayurbhanj (opposite party No.2) in the matter by filing a representation and the said opposite party be directed to take a decision on such motion within a specific time period.

6. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioners to file a representation before opposite party No.2 through registered post within a period of two weeks from today. In the event, such a petition 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 two weeks from the date of receipt of such representation and communicate the result of such exercise to the petitioners.

7. Accordingly, this writ petition is disposed of.

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

(DR. B.R. SARANGI)
JUDGE

Ashok

(B. P. SATAPATHY)
JUDGE