

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27898 of 2022

Bhakta Barik & Ors.

.....

Petitioner

Mr. B. Bhuyan, Advocate

Vs.

Union of India & Ors.

.....

Opposite Parties

*Mr.P.K. Parhi, DSGI
along with Ms. J. Sahoo, CGC*

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

14.12.2022

Order No.

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This matter is taken up through Hybrid mode.

2. Heard Mr. B. Bhuyan, learned counsel appearing for the petitioner.

3. Mr. B. Bhuyan, learned counsel appearing for the petitioner contended that pursuant to notification issued by opposite party no.1 for widening of N.H. 215, the lands of the petitioners were acquired. Accordingly, as per Section 3-G of National Highways Act, the compensation for the acquired land was determined. Since the petitioners and opposite party no.8 did not cooperate to receive the award and opposite parties no.9 & 10 filed an affidavit to make apportionment of the award, opposite party no.2 referred the dispute under Section 3-H of the Act to the learned District Judge, Keonjhar, vide CMA No.31 of 2019. It is contended that Civil Suit No.54 of 2018 filed by the petitioners is also pending before the learned Civil Judge (Sr. Division), Champua. Therefore, learned

counsel appearing for the petitioners contended that direction may be issued to the learned District Judge, Keonjhar to call for the records of Civil Suit No.54 of 2018 and decide the said case along with CMA No.31 of 2019.

4. It is open to the petitioners to file an application before the learned District Judge, Keonjhar for transfer of Civil Suit No.54 of 2018 pending before the learned Civil Judge (Sr. Division), Champua for analogous hearing with CMA No.31 of 2019, if they are so advised.

5. With the above observation, the writ petition stands disposed of.

6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Alok

