

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No. 6487 of 2021

Bhara Pradhan & Others

....

Petitioners

Mr. Bijaya Kumar Behera, Advocate

-versus-

Mr. Surendra Kumar & Others

....

Opposite Parties

Mr. L. Samantaray, AGA

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN

ORDER (Oral)

08.04.2022

Order No.

- 02.**
1. This matter is taken up by virtual/physical mode.
 2. The Petitioners filed the contempt petition alleging that the Opposite Parties have not complied with direction of this Court vide order dated 14th September, 2020 in W.P. (C) No. 20574 of 2020. It is stated that this Court directed the Opposite Party No.2, namely, Mr. Rajendra Pattnaik, Director (R&R), Department of Water Resources, Odisha to take a decision on the proposal submitted by the Opposite Party No.3, namely, Mr. Tareni Suna, Special Land Acquisition Officer-cum-Project Director (R&R), Lower Indra Irrigation Project, Khariar within a period of eight weeks.
 3. On 14th March, 2022, Mr. L. Samantaray, Additional Government Advocate sought for adjournment to seek instruction. Accordingly, a compliance affidavit sworn to by the Opposite Party

No.3 (Mr. Tareni Suna), Special Land Acquisition and Resettlement and Rehabilitation Officer came to be filed on 6th April, 2022, which is placed on record today.

4. It is stated by the Opposite Party No.3 in the affidavit that the Petitioner Nos. 1 to 3(Bhara Pradhan, Angaresh Pradhan & Rajesh Pradhan) did not fulfill the criteria to be eligible for resettlement and rehabilitation benefit under the Odisha Resettlement and Rehabilitation Policy, 2006. Having taken decision, the same has been communicated to the said Petitioners vide letter No. 8489/WR dated 4th April, 2022.

5. In the aforesaid affidavit, it is further stated that the Petitioner No.4 (Simanchal Gual) is found eligible for resettlement and rehabilitation benefit. Accordingly, a fresh estimate proposal has been submitted to the Revenue Divisional Commissioner (RDC), Southern Division, Berhmapur through the Collector, Nuapada.

6. The Director (R&R) Department of Water Resources being the Sanctioning Authority it is agitated by Mr. Tareni Suna (Opposite Party No.3), the Special Land Acquisition and Resettlement and Rehabilitation Officer that after sanction being accorded the benefit shall be extended to the eligible Petitioner No.4.

7. Considering the compliance affidavit further time is extended to the Opposite Parties to complete the entire exercise

within two months failing which the Sanctioning Authority shall be proceeded with contempt of the Court.

8. The contempt petition is disposed of in the above terms.

(Jaswant Singh)
Judge

(M.S. Raman)
Judge

Laxmikant

April 8 , 2022 Cuttack

