

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 31162 of 2022

Chaitanya Bariha & Others

Petitioners

Mr.P.K.Jena, Advocate.

Vs.

State of Odisha & Others

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

09.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard.

3. The present Writ Petition has been filed with the following prayer:-

“ 1. Writ of Mandamus directing the Opp.Parties not to displace/evict the petitioners from the lands and residence from their village G.S. Dunguripalli before providing land against land (ac.010 dec.) to each displace family in the available Government land in Bolangir town or periphery of Bolangir town as has been provided to other similarly situated land losers for the Lower Suktel Irrigation Project, Bolangir inconsonance with Odisha Resettlement and Rehabilitation Policy, 2006 and Right to Fair Compensation and Transparency in land acquisition, Rehabilitation and Resettlement Act 2013 and the Rules, 2016 made t here under.

2. The Opp. Parties be directed to pay due and adequate compensation for acquisition of land of the petitioner before their actual displacement by taking into consideration the present market value of land in the village of the petitioners, G.S. Dunguripalli.

3. The Opp.Parties be directed to provide the minimum living facilities such as drinking water, approach road, electricity supply facilities in the rehabilitation colony to be earmarked in

the periphery of Bolangir town before their displacement of their present place of residence.

4. Pass any such order as deem fit and proper in the facts and circumstances of the case”.

4. In course of hearing, learned counsel for the Petitioners states that highlighting their grievances, the Petitioners have made representation to Opposite Party No.2 vide Annexure-6-Series and the same may be directed to be considered taking into consideration under Annexure-11 within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed by learned counsel for the parties and after going through the records, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.2 to consider the representation filed by the petitioners vide Annexure-6-Series, and taking into consideration under Annexure-11 within a period of four weeks from the date of production of certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat