

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.7241 of 2021

Shiba Behera

....

Petitioner

Mr. Agasti Kanungo, Advocate

-versus-

**Somnath Majhi, Land
Acquisition Officer,
Collectorate Office, Cuttack,
District-Cuttack**

....

Contemnor/

Opposite Party

Mr. L. Samantaray, AGA

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. RAMAN**

**ORDER (Oral)
10.10.2022**

Order No.

01. This matter is taken up through virtual/physical mode.

1. The petitioner has filed the present contempt alleging that the Land Acquisition Officer, Cuttack has not decided the representation dated 21.10.2020 within the timeline as directed vide order dated 07.01.2021 passed by this Court in W.P.(C) No.36455 of 2020.

2. Mr. Samantaray points out that in para-2 of the aforesaid writ petition, a direction has been sought for making an enquiry into the acquisition and non-payment of compensation at the time of acquisition in the year 1969 to the recorded owner, i.e., late Chain Behera, who happens to be the grandfather of the petitioner. Thus, a direction is sought for

payment of the compensation at the present market price along with interest. He further submits that in the order dated 07.01.2021 it is recorded that the lands were acquired, however compensation was not made adequately, thus seeking enhancement of compensation. He thus concludes that the claim itself being contradictory apart from being made after a lapse of 50 years, could not be entertained in writ jurisdiction and neither the representation nor the relief prayed be granted by the Officer concerned and hence no willful disobedience is made out.

3. Taking into consideration the disputed facts, we find that the present contempt is totally devoid of merit.

4. In view of the above, the CONTC is dismissed.

(Jaswant Singh)
Judge

(M. S. Raman)
Judge

AKK

October 10th, 2022
Cuttack