

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 32809 of 2022

*Braja Mohan Kishan &
Another*

.....

Petitioners

Mr. A. Das, Advocate

Vs.

*Collector-cum-DM.,
Sundargarh & Another*

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

12.12.2022

Order

No.

01.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioners.
3. The Petitioners have filed the present Writ Petition with the following prayer:-

“It is, therefore, most humbly and respectfully prayed that this Hon’ble Court may be graciously pleased to issue a Rule Nisi calling upon the O.P. to show cause as to why;

1. The award passed and the consequential notice issued by O.P. No.2 shall not be quashed after declaring the same as illegal.

2. The O.P. No.2 shall not be directed to recalculate the compensation on the basis of Rule-26 of the RFCTLA RR Act, 2013.

3. The Collector, Sundargarh (O.P. No.1) shall not be directed to refer the dispute raised under Annexure-5 to the Ld. Court of Land Acquisition and Land Rehabilitation Authority U/s.64(1) of the RFCTLA RR Act, 2013”.

4. He further submits that through highlighting their grievance, the

petitioners have filed representations vide Annexures-3 & 4 to the Writ Petition, but till date nothing has been done in the matter. In such background, they pray that a direction be issued to Opposite Party No.1 to take a decision on the above noted petitions within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.1 to take a decision on the above noted petitions in accordance with law and also keeping in view of Section-26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013, within a period of three months from the date of production of certified copy of this order and communicate the result of such exercise to the petitioners.

6. The Writ Petition is disposed of accordingly.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat