

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 32811 of 2022

Jitray Mahanta

.....

Petitioner

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 Petitioner.
3. The Petitioner has 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 his grievance, the petitioner

has filed representation vide Annexure-4 to the Writ Petition, but till date nothing has been done in the matter. In such background, he prays 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 petitioner.

6. The Writ Petition is disposed of accordingly.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Subrat