

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.39410 of 2021

Sibasankar Patra

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Petitioner

Ms. Deepali Mahapatra, Advocate

-Versus-

State of Odisha & Others

....

Opposite Parties

Mr. J. Katikia, A.G.A.

CORAM:

JUSTICE C.R. DASH

JUSTICE SAVITRI RATHO

ORDER

25.01.2022

Order No.

- 01.
1. This matter is taken up through Virtual Mode.
 2. Heard learned counsels for the Parties.
 3. The land of the Petitioner's father late Shyam Sundar Patra has been acquired by the Government for the purpose of additional spillway of Hirakud Dam and it is an admitted fact. The grievance of the Petitioner is that, in Annexure-2 the name of the brother of the Petitioner namely Dillip Kumar Patra has been reflected at Serial No.53 excluding the name of the present Petitioner, though the present Petitioner is also one of the legal heirs of late Shyam Sundar Patra.
 4. This writ petition has been filed for a direction to Opposite Party No.5 – Special Land Acquisition Collector, Additional Spillway, Hirakud Dam to give fair and equitable compensation apportioning the same between the two brothers, namely Dillip Kumar Patra and the present Petitioner – Sibasankar Patra. In this

regard, a representation vide Annexure-5 has been filed by the present Petitioner before Opposite Party No.5, which is still pending.

5. Regard being had to the facts and submission and the nature of relief sought for, this Writ Petition is disposed of directing Opposite Party No.5 to dispose of the representation of the Petitioner vide Annexure-5 in accordance with law, by passing a reasoned order within three months from the date of receipt of a certified copy of this order, after giving opportunity of hearing to all the parties concerned.

6. The Petitioner is directed to supply a copy of the writ petition containing all the Annexures to Opposite Party No.5 for convenience and reference to Annexures – 2 and 5.

7. Till a decision is taken in the matter, no compensation amount be released in favour of Dillip Kumar Patra.

8. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020, modified by Notice No.4798, dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515, dated 7th January, 2022.

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C.R. Dash, J.

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Savitri Ratho, J.