

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.34031 of 2022

Rabi Munda & Others

.....

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

21.12.2022

Order

No.

1.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioners.

3. The present Writ Petition has been filed 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 take a decision on the dispute raised
under Annexure-3 u/Sec.64(1) of the RFCTLA RR
Act, 2013.”*

4. In course of hearing, learned counsel for the Petitioners states that

highlighting their grievances, the Petitioners have made a representation to Opposite Party No.1 vide Annexure-3 and the same may be directed to be considered 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.1 to consider the representation filed by the petitioners vide Annexure-3 and pass appropriate order 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.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE