IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 35050 of 2022

Baiswara @ Baisyanara Naik ….. ***Petitioner***
Mr. M.K.Mohapatra, Adv.

Vs.

State of Odisha and others ….. ***Opposite Parties***
State Counsel

CORAM:
DR. JUSTICE B.R. SARANGI
MR. JUSTICE B.P. SATAPATHY

ORDER
20.12.2022

Order No. 01. This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner and learned Addl. Government Advocate for the State.

3. Petitioner in this writ petition seeks for a direction to opposite party Nos. 1 and 2 i.e. Principal Secretary to Government Water Resources Department, Bhubaneswar and Director (R&R)-cum-Additional Secretary, Department of Water Resources, Bhubaneswar to sanction and release the awarded amount in favour of the petitioner for acquisition of land for construction of Upper Indravati Irrigation Project as per the judgment dated 06.02.2014 passed by the learned Civil Judge (Sr.Divn.), Bhawanipatna in L.A.R No. 06 of 2013, within a stipulated time.

4. Learned counsel for the petitioner submitted that petitioner has filed an application under Section 18 of the L.A. Act for higher compensation, which was referred to Civil Court for adjudication. The Civil Court registered it as L.A.R. No. 06 of 2013 and same was disposed of on 06.02.2014 and higher compensation was awarded. However no action has been taken as yet for sanction and disbursement of the compensation amount. He further

submitted that a similar writ petition bearing W.P.(C) No. 27531 of 2020 has been disposed of on 20.10.2020 directing opposite party No.1 to sanction the amount at an early stage and to take expeditious step for disbursement of the compensation amount. He also submitted that the present writ petition may be disposed of in terms of the order passed in that writ petition. Learned Addl. Government Advocate has also no objection to the aforesaid submission made by learned counsel for the petitioner.

5. In view of the above, we dispose of the writ petition with a direction to opposite party No.1 to sanction the amount at an early stage and thereafter the opposite party No.3- Special Land Acquisition Officer, Upper Indravati Irrigation Project, Kusumkhunti in the district of Kalahandi shall take expeditious step for disbursement of the compensation amount by end of March, 2023, if there is no other impediment.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Subrat

(B.P. SATAPATHY)
JUDGE