

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41155 of 2021

Sabita Mohapatra @ Mishra **Petitioner**
Mr. Sarthak Pradhan, Advocate

-versus-

The Special Land **Opp. Parties**
Acquisition Officer, Talcher
& Another

Mr. Harmohan Dhal,
Additional Government Advocate

CORAM:
JUSTICE BISWAJIT MOHANTY
MISS JUSTICE SAVITRI RATHO

ORDER
28.06.2022

Order No.

- 02.
1. Heard Mr. Sarthak Pradhan, learned counsel for the petitioner and Mr. Harmohan Dhal, learned Additional Government Advocate.
 2. According to Mr. Pradhan, the petitioner is aggrieved by the inaction of the authorities-opposite parties in referring her application filed under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 to the appropriate authority and in extending the proper Rehabilitation and Resettlement benefits under the above noted Act causing great prejudice to the petitioner.
 3. In reply, Mr. Dhal, learned Additional Government Advocate submits that acting upon the application of the petitioner for reference, the matter has already been referred to the L.A.R & R authorities and the same has been

registered as L.A. Reference No. 28 of 2022.

4. In reply, Mr. Pradhan, learned counsel for the petitioner submits that notwithstanding such reference, a move is on to evict the petitioner from the case land and structure.

5. In this context, Mr. Dhal submits that since the matter is already pending before the L.A.R & R authority, Sambalpur, the petitioner should approach the said authority for redressal of her grievance as under Section 60 of the above noted Act, the authority has been vested with powers to do justice.

6. Considering for such submissions, the writ petition is disposed of permitting the petitioner to file an appropriate application for interim protection before the Authority within a week. In the event, such an application is filed along with a copy of this order, the authority is directed to take a decision on such interim application in accordance with law within a period of two weeks thereafter. Till the above noted steps are taken within a week, the petitioner shall not be dispossessed from Plot No. 74/296 and 78/297 under Khata No. 37/25 of Mouza-Sulia under Tahasil-Pallahara covering an area of Ac. 0.120 dec. in the district of Angul, if not already dispossessed.

7. Urgent certified copy of this order be granted on proper application.

(Biswajit Mohanty)
Judge

(Savitri Ratho)
Judge

