IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.31896 of 2026
CNR No. ODHC010759942026

Kusha Sagaria …. ***Petitioner(s)***
Mr. Bhaskar Samantray,
Advocate

-versus-

State of Odisha & Ors. …. ***Opposite Party(S)***
Mr. Sonak Mishra, ASC

CORAM:
HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI
HON'BLE MR. JUSTICE CHITTARANAJAN DASH

ORDER

Order No. **29.10.2026**
02.

1. This matter is taken up through hybrid arrangement.

2. The Petitioner, by filing this Writ Petition, has sought for a direction from this Court to the Opposite Party No.2/The Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar to refer the pending application under Annexure-2 filed under Section 18 of L.A. Act 1894 before him by Petitioner to Opposite Party No.2 in L.A. Case No.4/2001 to the referral court.

3. Learned counsel for the Petitioner submits that the Government of Odisha, Water Resources Department acquired certain land of Subarna Sagaria (father of the present

Petitioner) measuring an area Ac.6.88 decimal under Khata No.127 of village Bodachhapar, P.S.-Komna, Dist-Nuapada for construction of Lower Indra Irrigation Project vide Notification No.23415 dated 16.05.2001 in L.A. Case No. 4/2001.

4. It is further submitted that on the notice under Section 12(2) of L.A. Act 1894 issued by the Opposite Party No.2/ The Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar, the claimant received under protest the compensation of Rs.3,72,337/- which was very low, unreasonable and inadequate. Thereafter petitioner/claimant filed a protest petition under Section 18 of L.A. Act 1894 before Opposite Party No.2 on 08.03.2004 for higher compensation with a prayer to refer the protest petition to referral court for proper adjudication of the matter. Till date the said application is still pending before Opposite Party No.2/ The Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar, without referring it to the referral Court.

5. In view of the above submission, this Writ Petition stands disposed of directing the Opposite Party No.2/ The Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar/Collector, Nuapada to refer the pending application under Annexure-2 filed under Section 18 of L.A. Act 1894 to the

Referral court for expeditious adjudication, if the said has not been disposed of by now.

6. The Writ Petition stands disposed of, accordingly.

(Dr. Sanjeeb K Panigrahi)
Judge

(Chittaranjan Dash)
Judge

AKPradhan/Suchitra

Signature Not Verified
Digitally Signed
Signed by: ANANTA KUMAR PRADHAN
Designation: Senior Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 30-Oct-2026 10:59:03