IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33888 of 2026

CNR No. ODHC010800402026

Bikash Gardia …. ***Petitioner(s)***

Mr. Upendra Kumar Samal, Sr. Adv.
along with associates
Mr. Manoranjan Mohapatra, Adv.

versus-

State of Odisha & Ors. …. ***Opposite Party (s)***

Smt. Jyotsnamayee Sahoo, ASC
Mr. Satya Smruti Mohanty, Adv.

CORAM:

HON'BLE DR.JUSTICE SANJEEB K PANIGRAHI
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

Order No.
07.

28.10.2026

1. This matter is taken up through hybrid arrangement.

2. The Petitioner, Bikash Gardia, claims to be a member of a family displaced by the acquisition of land pertaining to Khata No.56/9 of Mouza Mendra and Khata No.80/15 of Mouza Jamkani. By this Writ Petition, he challenges the action of the Opposite Parties in not providing him employment. The said lands were acquired by the State Government under Section 4(1) read with Section 17(4) of the Land Acquisition Act, 1894, for coal mining by M/s. Bhushan Limited, whose project was subsequently transferred to M/s. Vedanta Limited. The Petitioner contends that his family lost their homestead land,

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agricultural land and house structure to the coal mining project undertaken by M/s. Vedanta Limited, Jharsuguda (Opposite Party No.4), and he is, therefore, entitled to employment or the corresponding rehabilitation benefit of the State Government in lieu thereof.

3. Learned counsel for the Petitioner submits that a similarly situated person of village Jamkani had approached this Court in W.P.(C) No.36075 of 2023, seeking employment or cash in lieu of employment in terms of the Odisha Resettlement and Rehabilitation Policy, 2006. This Court, by order dated 08.11.2023, disposed of that Writ Petition with a direction to the Collector, Sundargarh, to consider the case of the Petitioner therein. Pursuant to the decision taken by the Collector, the Opposite Party No.4 is stated to have extended the benefit of cash in lieu of employment to that Petitioner.

4. Learned counsel for the Petitioner further submits that the Petitioner has already submitted a representation dated 24.02.2026 (Annexure-4) before the Collector, Sundargarh (Opposite Party No.2) ventilating his grievance. He prays for a direction to the Collector to consider and dispose of the said representation expeditiously, in the light of the order dated 08.11.2023 passed in W.P.(C) No.36075 of 2023.

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5. Mr. Satya Smruti Mohanty, learned counsel for the Opposite Party No.4, submits that the present Petitioner is not similarly situated to the Petitioner in W.P.(C) No.36075 of 2023 and therefore, cannot claim the same benefit as a matter of course.

6. Having heard learned counsel for the parties and perused the materials on record and without expressing any opinion on the merits of the Petitioner's claim, this Court directs the Collector, Sundargarh (Opposite Party No.2), to consider and dispose of the representation dated 24.02.2026 (Annexure-4) in accordance with law, by a reasoned order. Before doing so, the Collector shall afford an opportunity of hearing to the Petitioner and to Opposite Party No.4, and shall consider the submissions of Opposite Party No.4, including its contention that the present Petitioner is not similarly situated to the Petitioner in W.P.(C) No.36075 of 2023. The decision so taken shall be communicated to the Petitioner.

7. The aforesaid exercise shall be completed as expeditiously as possible, preferably within a period of four weeks from the date of production of a certified copy of this order by the Petitioner.

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8. Accordingly, the Writ Petition stands disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

(Murahari Sri Raman)
Judge

Ayaskanta

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