

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27593 of 2023

Lokanath Rout & others

.....

Petitioners

Mr. Manoj Ojha, Advocate

Vs.

State of Odisha & others

.....

Opposite Parties

Mr. S.N. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE MURAHARI SRI RAMAN

ORDER

01.09.2023

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. M. Ojha, learned counsel for the petitioners and Mr. S.N. Nayak, learned Addl. Standing counsel appearing for the State-opposite parties.

3. According to learned counsel for the petitioners, the petitioners are aggrieved by the quantum of compensation awarded by the authorities vis-à-vis acquisition of part of the land covered by Plot No.186, falling under Khata No.183/34 of Mouza-Jugpura in connection with L.A. Case No.3 of 2020. According to him, the quantum of compensation indicated at Annexure-4 at Rs.95,238/- by the Zone Officer-cum-L.A. Collector, S.I.P., Baripada Zone, Mayurbhanj vide his letter dated 19.04.2023 is much less vis-à-vis the benchmark valuation of the land prescribed for that area.

4. Mr. S.N. Nayak, learned Addl. Standing counsel appearing for the State-opposite parties submits that for such purposes, the petitioners should have approached the appropriate authority, i.e.,

opposite party no.2 under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition Act, 2013 instead of rushing to this Court.

5. In such background, learned counsel for the petitioners submits that liberty may be granted to the petitioners to approach the Zone Officer-cum-L.A. Collector, Mayurbhanj (opposite party no.2) in the matter by filing a representation and the said opposite party may be directed to take a decision on such motion within a specific time period.

6. Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioners to file a representation before opposite party no.2 through registered post within a period of two weeks from today. In the event, such a petition/representation is filed along with a copy of this order, opposite party no.2 is directed to take a decision on the same in accordance with law, within a period of two weeks from the date of receipt of such representation and communicate the result of such exercise to the petitioners.

7. Accordingly, this writ petition is disposed of.

8. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(M.S. RAMAN)
JUDGE

MRS