

(2023) 04 OHC CK 0083

In the Orissa High Court

Case No : Writ Petition (C) No. 9690 Of 2023

Susanta Kumar Padhi

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 06-04-2023

Acts Referred:

Land Acquisition Act, 1894 — Section 18

Citation : (2023) 04 OHC CK 0083

Hon'ble Judges : Dr B.R. Sarangi, J;M.S.Raman, J

Bench : Division Bench

Advocate : M.K.Mohapatro, H.M. Dhal

Final Decision : Disposed Of

Judgement

1. 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., Secretary to Government, Water Resources Department, Bhubaneswar and Director (R&R)-cum-Addl. 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 Canal under Upper Indravati Irrigation Project as per the judgment dated 26. 10.2017 passed by the learned Civil Judge (Sr.Divn.), Dharamgarh in LAR No.39 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 LAR No.39 of 2013 and same was disposed of on 26.10.2017 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 June, 2023, if there is no other impediment.

Issue urgent certified copy as per rules.

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