



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.932 OF 2026

Shyam Sundar Tamba ***Petitioner***

Mr.Bijaya Kumar Behera-1, Advocate

-versus-

State of Odisha and Others ***Opp. Parties***
Mr.Manmaya Kumar Dash,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA
JUSTICE SANJAY KUMAR MISHRA

ORDER
25.02.2026

Order No.
02.

1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioner, in this writ application, is with regard to inaction of the Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar (Opposite Party No.3) in disposing of his application filed under section 28-A of the Land Acquisition Act, 1894 (for brevity, 'the Act').
3. It is submitted by Mr. Behera, learned counsel for the Petitioner that LAR No.70 of 2019 of village Agrayan in the District of Nuapada referred under section 18 of the Act was disposed of vide judgment dated 13th September, 2023 enhancing the compensation. Since the land of the Petitioner was acquired under the same Notification No.51479 dated 03.11.2000 under section 4(1) of the Act, the Petitioner filed an application under section 28-A of the Act for redetermination of compensation for acquisition of his land in terms of judgment in LAR No.70 of 2019. The said application was not disposed of within a reasonable time



for which the Petitioner has approached this Court in the present writ petition.

Considering the grievance of the Petitioner, this Court vide Order dated 13.01.2026 directed learned State Counsel to take instruction with regard to current status of the petition filed by the Petitioner under section 28-A of the Act.

4. Mr.Dash, learned Additional Standing Counsel, on receiving written instruction from the Opposite Party No.3, submits that the Government in the Department of Water Resources, Odisha, Bhubaneswar, has communicated the sanction order in connection with the judgment in LAR No.70 of 2019. Hence, the Special Land Acquisition Officer & RRO, Lower Indra Irrigation Project, Khariar vide his Letter No.448 dated 23.02.2026 stated that large number of similar nature of cases are pending in the Office of the Opposite Party No.3 and thus cases are being dealt with serially. The written instruction of the Opposite Party No.3 vide Letter No.448 dated 23.02.2026 filed by Mr. Dash, learned Additional Standing Counsel is taken on record.

5. Considering the submissions made by the learned counsel for the parties, this Court finds that sanction order in connection with LAR No.70 of 2019 has already been received by Opposite Party No.3.

Hence, this Court without expressing any opinion on the merit of the case of the Petitioner in the application under section 28-A of the Act, disposes of the writ petition with a direction that the petition under section 28-A of the Act, filed by the Petitioner shall be disposed of in accordance with law, as expeditiously as possible, preferably by end of May, 2026 and decision thereof be communicated to the Petitioner forthwith. If the Petitioner is found



to be entitled to the enhanced compensation in terms of judgment passed in LAR No.70 of 2019, then the differential amount along with other statutory dues shall be released in favour of the Petitioner, as expeditiously as possible, preferably by end of August, 2026.

6. Issue urgent certified copy of this order on proper application.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Himansu