



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1146 OF 2026

Khageswar Punji & anr. ***Petitioners***

Mr. Bikash Kumar Behera-I, Advocate
-versus-

State of Odisha & ors. ... ***Opposite 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 Petitioners in this writ petition is with regard to nondisbursal of differential amount re-determined under Section 28-A of the Land Acquisition Act, 1894 (for brevity, 'the act') by the Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar in the district of Nuapada.
 3. Mr. Behera, learned Counsel for the Petitioners submits that pursuant to the judgment dated 09.05.2022 passed by learned Civil Judge (Sr. Division), Nuapada in LAR Case No.47 of 2016 in a reference under Section 18 of the Act, the Petitioner filed an application under Section 28-A of the Act for re-determination of compensation as his land was acquired under the same notification under Section 4(1) of the Act.



4. The said application was allowed vide order dated 25.09.2025 and the Special Land Acquisition Officer, Lower Indra Irrigation Project, Khariar (Opposite Party No.3) communicated to the Director (R&R) & Ex-Officio Additional Secretary to Government, Department of Water Resources, Odisha, Bhubaneswar (Opposite Party No.2) for grant of necessary sanction for release of the differential amount of compensation along with statutory dues.

5. Although the matter is pending with the Opposite Party No.2 since 25.09.2025 awaiting sanction, no step has yet been taken in that regard. Hence, finding no other alternatives, this writ petition has been field.

6. Taking note of the submission made by the learned Counsel for the Petitioners, this Court vide order dated 20.01.2026 directed the learned State Counsel to take instruction in the matter.

7. Mr. Dash, learned Additional Standing Counsel, on receipt of written instruction vide letter no.445 dated 22.03.2026 submits that order of sanction from the Director, Water Resources Department, Government of Odisha is awaited. Thus, no step could be taken to release the differential amount of compensation along with statutory dues in favour of the Petitioners.

8. A copy of the written instruction filed by Mr. Dash, learned Additional Standing Counsel is taken on record.

9. In view of the facts and circumstances of the case as stated above, this Court disposes of the writ petition with a direction to the Director (R&R) and Ex-Officio Additional Assistant Secretary to Government, Department of Water



Resources, Odisha, Bhubaneswar (Opposite Party No.2) to take a decision in the matter and communicate the same to the Special Land Acquisition Officer-cum-RRO, Lower Indra Irrigation Project, Khariar (Opposite Party No.3) as expeditiously as possible preferably by end of June, 2026.

10. On receipt of such order of sanction, steps shall be taken by the Special Land Acquisition Officer-cum-RRO, Lower Indra Irrigation Project, Khariar (Opposite Party No.3) to release the differential amount of compensation along with statutory dues in favour of the Petitioners as expeditiously as possible preferably by end of September, 2026 scrutinising their entitlement and acknowledging receipt of compensation.

11. Urgent certified copy of the order shall be granted on proper application.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Banita