



IN THE HIGH COURT OF ORISSA AT CUTTACK

LAA No.57 of 2006

***Special Land Acquisition Appellant
Rehabilitation and
Resettlement Officer,
Rengali Irrigation Project,
Talcher***

Mr. P.K. Mohanty, ASC

-versus-

***Labanya Mohapatra (dead) Respondents
Subhadra Mohapatra and
others***

**CORAM:
JUSTICE MRUGANKA SEKHAR SAHOO**

**ORDER
27.02.2026
(Hybrid Mode)**

Order No.

19. **1.** The learned Additional Standing Counsel Mr. Mohanty refers to the order dated 16.07.2025 passed by the coordinate Bench wherein at paragraph-7 the following was observed:

“7. In the meantime, learned Counsel for the State is directed to ascertain from the Office of the Special Land Acquisition Rehabilitation and Resettlement officer, Rengali Irrigation Project (Appellant) as to whether any cause of action still survives to pursue this Appeal.”



2. It is submitted that pursuant to the said order instructions were sought for from the appellant-Special Land Acquisition Rehabilitation and Resettlement officer, Rengali Irrigation Project, Baghuaboli, Talcher by letter from the office of the Advocate General.

3. In response thereto, it is indicated in the letter dated 20.02.2026 from the Zone Officer, Rengali Irrigation Project has been received stating that the enhancement of compensation directed by the learned referral Court that the learned Civil Judge (Sr. Division), Kamakhyanagar, Dist.-Dhenkanal from Rs.35,000/- to Rs.62,500/- per acre is under challenge based on valid and legal grounds.

Copy of the said letter dated 20.02.2026 filed by the learned ASC along with Memo of date is kept on record.

4. On perusal of the order-sheet of the present appeal, it is apparent that by Order No.3 dated 22.02.2008, notices were issued by the coordinate Bench to the opposite party on the question of condonation of delay in M.C. No.164 of 2006. Also by Order No.4 dated 22.02.2008, notices were issued in the appeal.

5. Somehow, thereafter, another coordinate Bench issued notice again by Order No.5 dated 28.01.2010 and Order No.6 dated 28.01.2010 for condonation of



delay in Misc. Case No.164 of 2006 and Misc. Case No.1 of 2010 seeking stay of operation of the impugned award.

6. Office note dated 12.12.2024 indicates thus:

“Notice in limitation matter issued to R-1 to 5 by RP with AD.

AD’s return from R-2 & 4 after signed by “Smita Rani Hota” but relationship not stated.

Unserved notices return from R-1, 3 & 5 with common postal remarks “Death, Return to Sender.”

7. Thereafter the I.A.(s) No.453, 450 and 449 of 2024 as well as I.A.(s) No.454, 451 & 452 of 2024 have been filed for substitution and setting aside the abatement against respondent nos.1, 3 and 5. The notices which have been served on one Smt. Smita Rani Hota as indicated in the office note dated 12.12.2024 does not indicate how Smt. Hota is related to the respondent nos.2 and 4.

8. Today when the matter is taken up, none appears for any of the respondents.

9. Accordingly, notice be issued to the respondents as well as newly added substituted legal heirs by Speed Post with registration and proof of delivery along with copy of this order indicating that the matter shall be taken up for admission hearing.

Requisites for issuance of notice be filed after ascertaining the present correct address of all the



respondents within 15 working days. Returnable date be fixed to 17.04.2026.

10. List after S.R. Liberty to mention.

(Mruganka Sekhar Sahoo)
Judge

Radha