

IN THE HIGH COURT OF ORISSA AT CUTTACK

LAA No. 2 of 2023

Nanda Kishore Rana

.....

Appellant

Mr. S.K.Joshi, Advocate

Vs.

*Land Acquisition Zone Officer,
Khurda Road, Bolangir New B.G.
Rail Link Project, Boudh*

.....

Respondent

Mr.G.N.Rout, ASC

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

15.03.2023

I.A. No.13 of 2023

Order No.
02.

This matter is taken up through hybrid mode.

2. This I.A. has been filed with a prayer to defer the payment of deficit court fee, as pointed out by the Office, till disposal of the appeal on the ground that the Appellant has no source of livelihood save and except the land, which was acquired by the Opposite Party/Respondent and moreover there is no other earning member in the family and the entire family depends on the Appellant.

3. It has also been stated in the Petition that the Appellant, at present, is not in a position to pay the court fee and hence seeks for deferment of payment of court fee for the time being.

4. In view of the submissions made by the learned Counsel for the Appellant, so also averments made in the I.A. the prayer to defer the payment of court fee is allowed for the time being.

5. However, it is made clear that the deficit court fee, as pointed out by the Office is to be paid before the matter is taken up for hearing.

6. Accordingly, I.A. stands disposed of.

(S.K. MISHRA)
JUDGE

Order No.
03.

I.A. No.12 of 2023

1. As detailed in the I.A. the present appeal suffers from 72 days delay, which is beyond the statutory period of limitation prescribed under Section-74 (1) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
2. Mr.G.N.Rout, learned ASC for the State-Respondent vehemently opposes to the prayer for condonation of delay and submits that delay beyond 120 days from the date of the judgment cannot be condoned.
3. To substantiate the said submission he relies on the judgment of Karnatak High Court in case of *The Deputy Commissioner and Special Land Acquisition Officer v. M/s. S.V.Global Mill Limited*.
4. Mr. Joshi, learned Counsel for the Appellant prays for some time to cite authority to substantiate the prayer made in the I.A. for condonation of delay beyond the statutory period.
5. Prayer for time is allowed.
6. Matter be listed in the week commencing from 3rd April, 2023.

सत्यमेव जयते (S.K. MISHRA)
JUDGE

Banita