



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5157 OF 2026

Sarbeswar Khillar and Another ***Petitioners***

Mr. Amit Prasad Bose, Advocate

-versus-

State of Odisha and Another ***Opp. Parties***

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

27.02.2026

Order No.

01. 1. This matter is taken up through hybrid mode.
2. Petitioner, in this writ petition, prays for the following relief:-

“The petitioner therefore, prayed that this Hon'ble Court would graciously be pleased to admit the writ petition, issue Rule "NISI" in the nature of writ mandamus or any other writ/writs as deem fit and proper, calling upon the Opp. Parties, to show cause as to why the land acquisition compensation, in respect of the land covered under Plot No.204,205 and 205/698 of Khata No.41,43 and 231/74 respectively of mouza Jagannathprasad under Chandabali Tahasil in Bhadrak district shall be disbursed in favour of the petitioners as per their entitlement and alternatively why the Collector, Bhadrak the Opp.Parties No. 2 shall not be directed to send the petitioner's application dtd. 10.12.2024 vide Annexure-5 to the appropriate authority u/s 64 of RFCTLAR & R Act, 2013 for adjudication regarding payment of land acquisition compensation in their favour.

And if the Opp. Parties fail to show cause or show insufficient cause the said Rule be made absolute;

And/or pass any other writ/writs, order/orders the Hon'ble Court deems fit and proper in the facts & circumstances of the case

And for which act of kindness, the petitioner as in duty bound shall ever pray.”



3. In course of hearing, Mr. Bose, learned counsel for the Petitioners prays for withdrawal of the writ petition submitting that the Petitioners shall file a properly constituted application under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (for brevity, 'the Act') before the Collector for consideration.

4. Mr. Mishra, learned Additional Standing Counsel submits that he has no objection for withdrawal of the writ petition. But the filing of application under Section 64 of the Act shall be subject to the question of limitation, if any, to be adjudicated by the Collector.

5. In view of the above, this Court without expressing any opinion on the merit and contentions raised by either of learned counsel for the parties disposes of the writ petition as withdrawn with an observation that the Petitioners, if so advised, may file an application under Section 64 of the Act, which may be considered in accordance with law.

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

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Himansu