



IN THE HIGH COURT OF ORISSA AT CUTTACK
D-LAA No. 7883 of 2026

<i>Prabhakar Patra</i>		<i>Appellant</i> Mr. S. Rath, Advocate
-versus-		
<i>Narasingha Patra</i>		<i>Respondent</i>

CORAM:
JUSTICE MRUGANKA SEKHAR SAHOO

ORDER
24.03.2026
(Hybrid Mode)

Order
No.

2.

1. The appeal has been filed under section 54 of the Land Acquisition Act, 1894 challenging the judgment dated 30.07.2025 passed by the learned Civil Judge (Sr. Division), Anandapur in L.A. Misc. Case No.09 of 2014. The L.A. Misc. Case is a reference under section 30 of the Land Acquisition Act made by the Special Land Acquisition Officer, Kanupur Irrigation Project, Rimuli, Keonjhar before the learned Civil Judge (Sr. Division), Anandapur. The present appellant Prabhakar Patra was the opposite party no.55 whereas the respondents Narasingha Patra and Kulamani Patra were the petitioners.

2. The Stamp Report dated 25.02.2026 indicates following defects :

1.Valuation and court fee payable not furnished.



2. 52 nos of parties who were the opposite parties before the learned referral court in L.A. Misc. Case No. 9 of 2014 have not been made parties in the appeal.

3. For the said reason the matter has been marked as defective. The learned counsel for the appellant submits that he has filed I.A. No. 75 of 2026 for dispensing with impletion of parties.

As per the provisions of the CPC, such an appeal by deleting the opposite parties before the learned referral court would suffer from non-joinder of necessary parties. The learned counsel for the appellant seeks and has adjournment to apprise on the issue under which provision of the C.P.C., parties who were opposite parties before the learned trial court can be deleted by this Court in appeal. He shall also address how there would be effective adjudication.

4. In view of the judgment rendered by the constitution Bench of the Hon'ble Apex Court in ***U.P. Awas Evam Bikash Parishad v. Gyan Devi*** reported in ***(1995) 2 SCC 326***, the project proponent/requisitioning authority to be heard and made a party and heard by the court considering the enhancement/apportionment of the compensation.

Apparently before the learned Judge, Civil Judge (Sr.Division), Special LAO, Kanupur and the Zone Officer, Land Acquisition, Anandapur Barrage Project were made parties. The learned counsel for the petitioner shall also address whether the project



proponent, Department of Water Resources or any other Department who were also the requisitioning authority for acquisition of land, were made parties before learned Civil Judge (Sr. Division).

5. The petitioner shall disclose what is the amount of acquisition compensation he would be entitled assuming that his claim would have been allowed by the learned referral court.

List in the week commencing 20.04.2026.

(Mruganka Sekhar Sahoo)
Judge

dutta