



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No.8009 of 2025

Ganesh Kumar Kar

.... ***Petitioner***

Mr.Chandrakanta Nayak, Advocate

-versus-

1. State of Odisha

***2.The Director National Highways Authority,
Government of India***

***3.The Collector, Grievance, Collectorate,
Balasore***

***4.The Land Acquisition Officer, National
Highway, Bhubaneswar***

.... ***Opposite Parties***

Mr.Aurobinda Mohanty, ASC

CORAM:

THE HON'BLE MR.JUSTICE S.K.SAHOO

THE HON'BLE MS. JUSTICE SAVITRI RATHO

ORDER

24.03.2025

Order No.

01.

(Through Hybrid mode)

1. The petitioner - Ganesh Kumar Kar has filed this writ petition for a direction to the Collector, Balasore (opposite party No.3) to provide adequate compensation to him basing upon the present value of the land and the construction made by the petitioner upon receiving a report from the competent authority within a stipulated time.

2. It appears that notice under Annexure-2 was issued to the petitioner to appear on a particular date with some documents so that the compensation amount for acquisition of the land will be deposited in the bank account of the petitioner. The petitioner instead of filing a representation has filed an objection before the Land Acquisition Officer, National Highway No.5 wherein it is indicated that the compensation package be re-evaluated to



reflect fair market value in compliance with Section 26 to 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. Since the land has been acquired under the National Highways Act, 1956 and Section 3-G (5) of the said Act clearly states that if the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Collector in which case the provisions of the Arbitration and Conciliation Act, 1996 shall apply to every arbitration under the Act. But the petitioner has not approached the Arbitrator in accordance with law.

4. Therefore learned counsel for the petitioner seeks permission to withdraw this writ petition to approach the appropriate authority.

5. The writ petition is accordingly disposed of giving liberty to the petitioner to approach the appropriate authority in accordance with law.

(S.K.Sahoo)
Judge

(Savitri Ratho)
Judge

Bichi

Signature Not Verified

Digitally Signed
Signed by: BICHITRANANDA SAHOO
Designation: Secretary
Reason: Authentication
Location: Orissa High Court
Date: 25-Mar-2025 15:32:27

