



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13079 of 2024

Bhesaj Panigrahi & Anr.

.....

Petitioners

Mr. N.C. Jena, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite Parties

Mr. S. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

21.05.2024

Order No.

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This matter is taken up by hybrid mode.

2. Heard Mr. N.C. Jena, learned counsel appearing for the petitioners and Mr. S. Nayak, learned Additional Standing Counsel appearing for the State-opposite parties.

3. The petitioners have filed this writ petition seeking to quash the order dated 30.11.2023 passed in Misc. Case No.63 of 2023 under Annexure-6, by which opposite party no.3-Collector, Balangir has rejected the claim of the petitioners to get the benefit under the Resettlement and Rehabilitation Scheme.

4. Mr. N.C. Jena, learned counsel appearing for the petitioners contended that even though the petitioners are in occupation of Government land, they are entitled to get compensation as per Resettlement and Rehabilitation Policy 2013. As such, the petitioners also placed materials under Annexure-2 before opposite party no.3-Collector, Balangir. But opposite party no.3-Collector, Balangir, without considering the same, passed the impugned order dated 30.11.2023 in Misc. Case No.63 of 2023 under Annexure-6 rejecting



the claim of the petitioners for Rehabilitation and Resettlement benefit. It is further contended that similarly situated persons have been granted the said benefit, but the petitioners have been discriminated.

5. Mr. S. Nayak, learned Additional Standing Counsel appearing for the State-opposite parties contended that since the petitioners are in unauthorized occupation of Government land, they are not entitled to get compensation. Therefore, opposite party no.3-Collector, Balangir has rightly rejected the claim of the petitioners.

6. Issue notice to the opposite parties.

7. Since learned Additional Standing Counsel accepts notice on behalf of the opposite parties, let four extra copies of the writ petition be served on him within three days to enable him to obtain instructions or file counter affidavit.

7. Put up this matter after the ensuing Summer Vacation.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE

Alok