

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.14345 of 2023

Bhagirathi Sahoo

.....

Petitioner

Mr. P.K. Panda, Advocate

Vs.

***Land Acquisition Officer-cum-
Competent authority, NH-6,
Keonjhar & Ors.***

.....

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE M.S. RAMAN

ORDER

10.05.2023

W.P.(C) No.14345 of 2023

And

I.A. No.6630 of 2023

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. P.K. Panda, learned counsel appearing for the petitioner.

3. The petitioner has filed this writ petition against the notices dated 02.02.2023 and 24.04.2023 issued under Annexures-6 & 10 respectively, by which direction has been issued to the petitioner to refund the compensation amount paid to him in Land Acquisition Case No.98 of 2017.

4. Mr. P.K. Panda, learned counsel appearing for the petitioner contended that since the land of the petitioner was notified, compensation amount was paid to him by following due procedure, but subsequently, the Land Acquisition Officer has issued impugned notices directing the petitioner to refund the compensation amount, which is illegal, arbitrary and contrary to

the settled principle of law.

5. In the opinion of this Court, the matter requires consideration.

6. Issue notice to the opposite parties.

7. Let an extra copy of the writ petition be served within three days on Mr. P.K. Muduli, learned Additional Government Advocate, as he appears for opposite party no.1 to enable him to obtain instructions or file counter affidavit.

8. Requisites for issuance of notice to opposite parties no.2 & 3 shall be filed by speed post within three days. Office shall send notice to the said opposite parties fixing a short returnable date.

9. As an interim measure, it is directed that till 27.06.2023, there shall be stay operation of the notices dated 02.02.2023 and 24.04.2023 under Annexures-6 & 10 respectively issued by opposite party no.1 in Land Acquisition Case No.98 of 2017 directing the petitioner to refund the compensation amount.

**ALOK
RANJAN
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**(DR. B.R. SARANGI)
JUDGE**

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**(M.S. RAMAN)
JUDGE**