



IN THE HIGH COURT OF ORISSA AT CUTTACK

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

Bhagirathi Sahoo

....

Petitioner

Mr. Pradeep Kumar Panda, Advocate
-versus-

***1. Land Acquisition Officer-cum-
Competent Authority, National Highways
No.6 (49), Keonjhar***

***2. Project Director, NHAI No. 6 (49),
Project Implementation Unit, Badadera,
Keonjhar***

3. Samarendra Behera

....

Opposite Parties

Mr. Asim Kishore Pal, Advocate
on behalf of Mr. Amitav Das, Senior Advocate
(For O.Ps No. 1 and 2-NHAI)
Mr. Digambar Sethi, Advocate
(For O.P. No. 3)

CORAM:

**JUSTICE K.R. MOHAPATRA
JUSTICE SAVITRI RATHO**

Order No.

ORDER

08.

09.10.2025

1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ application seeks to assail the Notice No. 819 dated 2nd February, 2023 vide Annexure-6 issued by the Competent Authority-cum-Land Acquisition Officer, National Highways-06 (49), Keonjhar requiring the Petitioner to appear on 9th February, 2023 in the matter of refund of compensation amount of Rs.6,64,944/-. The Petitioner also assails the Notice No. 841 dated 24th April, 2023 vide Annexure-10 issued by the said Authority directing the Petitioner to refund the aforesaid compensation amount within 15 days.
3. Upon hearing learned counsel for the parties and on perusal of the record, it appears that the Notice under Annexure-10 was issued pursuant to order dated 24th April, 2023 passed by the



Land Acquisition Officer and Competent Authority, NH-06 (49),
Keonjhar. In the said order, it is recorded as under:-

*“During my hearing, Sri Bhagirathi Sahoo has also agreed to
refund the said compensation amount after due field verification
which was also conducted in presence of both Sri Bhagirathi
Sahoo and Sri Somerendra Behera...”*

4. Mr. Panda, learned counsel for the Petitioner, however,
submits that Sri Bhagirathi Sahoo-Petitioner had never agreed to
refund the compensation amount for which the above observation
by the Competent Authority is erroneous.

5. In view of the above, we are of the considered opinion that
the correctness of recording of a statement made by any party
before an Authority/Court can only be raised before the said
Authority/Court.

6. Accordingly, the writ petition is disposed of with an
observation that the Petitioner, if so advised, may raise objection
with regard to correctness of the recording as aforesaid before the
Land Acquisition Officer and Competent Authority, NH-06 (49),
Keonjhar.

7. If such an objection is raised within a period of two weeks
hence, the same shall be considered in accordance with law,
giving opportunity of hearing to the parties concerned.

8. It is made clear that this Court has not expressed any
opinion with regard to merit of the case of either party.

(K.R. Mohapatra)
Judge

(Savitri Ratho)
Judge

Signature Not Verified

Digitally Signed
Signed by: PUSPANJALI MOHAPATRA
Designation: Personal Assistant
Reason: Authentication
Location: Orissa High Court
Date: 09-Oct-2025 19:03:32



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