



IN THE HIGH COURT OF ORISSA AT CUTTACK

LAA No.18 of 2024

Special Land Acquisition Officer, Sonapur ***Appellant***

Mr. Prem Kumar Mohanty, ASC

-versus-

Tikelal Meher ***Respondent***

CORAM:

JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

08.05.2026

(Hybrid Mode)

I.A. No.206 of 2024

Order No.

11.

1. The I.A. has been filed by the appellant under section 5 of the Limitation Act seeking condonation of reported delay of 120 days in filing the appeal.

2. Learned Addl. Standing Counsel submits that when the appeal was filed, the Civil Appeal before the Hon'ble Supreme Court was pending regarding condonation of delay in filing the LAA. The Civil Appeal has been disposed of by judgment dated 09.02.2026. Paragraph 97 of the judgment is reproduced herein:

“97. We conclude as follows:

- (i) Section 24(1)(a) of the 2013 Act is applicable to all those cases where awards are passed after the commencement of the 2013 Act.*
- (ii) For passing the award under Section 24(1)(a), the provisions of the 2013 Act alone will have to be followed, except for the rehabilitation and resettlement entitlements.*



- (iii) *The first appeals before the High Courts should be treated as ones under Section 74 of the 2013 Act and not under Section 54 of the 1894 Act.*
- (iv) *Section 74 of the 2013 Act does not bar the application of Section 5 of the 1963 Act.*
- (v) *Consequently, all the applications seeking condonation of delay in preferring the first appeals before the High Courts under Section 74 of the 2013 Act stand allowed.*
- (vi) *All the impugned judgments are set aside insofar as the issue of application of Section 5 of the 1963 Act is concerned.*
- (vii) *The respective State Governments will have to take necessary measures and issue appropriate directions to the officers dealing with the appeals under Section 74 of the 2013 Act against the awards passed after the commencement of the 2013 Act to ensure that the appeals are filed as provided under Section 74 of the 2013 Act.*
- (viii) *High Courts shall avoid a pedantic approach as against a pragmatic one in dealing with the applications seeking condonation of delay."*

3. It is submitted by the learned Addl. Standing Counsel that the delay in filing appeal may be condoned in view of the law down by the Hon'ble Supreme Court in ***The Deputy Commissioner and Special Land Acquisition Officer v. M/s S.V. Global Mill Limited: 2026 INSC 138.***

4. Issue notice in the I.A. seeking condonation of delay along with the appeal.

Requisites for issuance of notice by Speed Post with Registration and proof of delivery shall be filed



within seven working days. Returnable date be fixed to 07.07.2026.

The matter shall be listed 'For Orders' in the week commencing 13.07.2026.

I.A. No.219 of 2024

5. Heard learned Addl. Standing Counsel for the appellant.

He submits that unless the operation of the impugned award is stayed, the appellant shall suffer irreparable loss and injury.

6. Issue notice as above.

Accept one set of process fee as well as postal requisites.

Returnable date as well as the next date of listing shall be as directed above.

7. In the interim, it is directed that the judgment dated 28.12.2023 passed by the learned Presiding Officer, LAR&R Authority, Northern Division, Sambalpur in LA Case No.260 of 2022 shall remain stayed till the next date of hearing.

Liberty to mention.

(Mruganka Sekhar Sahoo)
Judge

Rajesh