

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 22229 of 2020

Pabitra Biswal and others

.....

Petitioner

Mr. G.C. Swain, Adv.

Vs.

Union of India and others

.....

Opposite Parties

Mr. D. Mohanty, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

19.12.2022

Order No.

06.

This matter is taken up through hybrid mode.

2. Heard Mr. S. Swain, learned counsel for the petitioners and Mr. D. Mohanty, learned counsel for opposite parties.

3. Mr. D. Mohanty, learned counsel for opposite parties contended that out of four persons, one is entitled to get the benefit and, as such, the same has already been extended to him. So far as other three persons are concerned, they are not entitled to get such benefits, as their buildings were not acquired.

4. Mr. S. Swain, learned counsel for the petitioners contended that since the family has been separated and all the four persons are living separately by constructing separate building, when the benefit has been extended to one person, there is no valid and justifiable reason not to extend the benefit to others, which amounts to discrimination. To substantiate his contention, he has relied upon the document filed by the opposite party as Annexure-C/4 to the counter affidavit at page no.73 of the writ petition, by which it appears that plot no.3914, Area-Ac.0.050, Kisam-Gharabari has been acquired from the four persons and out of that one person has already got the benefit.

5. Mr. D. Mohanty, learned counsel for opposite parties seeks time to file affidavit as to under what circumstances the aforesaid benefit has been extended to one person and as to why other three

persons were denied.

6. List after three weeks. Affidavit be filed in the meantime.

(DR. B.R. SARANGI)
JUDGE

Ashok

(B.P. SATAPATHY)
JUDGE

