



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). NO.20780 OF 2019

Khedusagar Sa and another ***Petitioners***

Mr. S.S. Padhy, Advocate

-versus-

Mahanadi Coalfields Ltd., Sambalpur ***Opp. Parties***
and others

Mr. Siba Narayan Biswal,
Additional Standing Counsel
(For Opposite Party Nos.3 and 4)

Mr. Sakti Dhar Das, Senior Advocate
Being assisted by Mr. P.R. Patnaik, Advocate
(For MCL)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

26.02.2026

Order No.

12. 1. This matter is taken up through hybrid mode.
2. Petitioners in this writ petition pray for the following relief:

“In the facts and under the, circumstances stated above, the Hon’ble Court would graciously be pleased to issue;

a) A writ of and/or in the nature of mandamus do issue by commanding the opp. parties not to evict the petitioners pursuant to notices dated 22/07/2019 issued by the opp. party no.2 under Annexure-7 Series without granting the compensation and rehabilitation as directed by this Hon'ble Court vide order dated 04/11/1991 in O.J.C. No.3799 of 1991 and by the Hon'ble Apex



Court vide Order dated 14/02/1994 passed in Civil Appeal No.831 of 1994.

b) Rule NISI in terms of prayers above;

c) Issue any appropriate order/orders deemed fit in the fact and circumstances of the case.

And for which act of your kindness, the petitioner shall ever pray as in duty bound.”

3. Mr. Padhy, learned counsel for the Petitioners submits that the Petitioners along with others being not satisfied with the compensation for land acquisition had filed an application under Section 18 of the Land Acquisition Act, 1894. The matter was referred to the learned Civil Court under Section 18 of the Act and was registered as L.A. Case No.133 of 1994. In the meantime reference under Section 18 of the Act has been disposed of vide judgment dated 17th May, 2025. A copy of the said judgment is produced before this Court by Mr. Patnaik, learned counsel for the MCL appearing with Mr. Das, learned Senior Advocate and is taken on record.

4. In view of the judgment passed in the reference under Section 18 of the Act, Mr. Padhy, learned counsel for the Petitioners prays for withdrawal of the writ petition to file a properly constituted Appeal under Section 54 of the Land Acquisition Act, 1894 raising the grievance made in this writ petition. A Memo in support of his submission is filed in the Court, which is also taken on record.

5. Mr. Das, learned Senior Advocate appearing for the MCL does not have any objection to the same. He, however,



submits that if such grievance is raised, the same may be considered in accordance with law.

6. In view of such submissions made by learned counsel for the parties, the writ petition is disposed of as withdrawn.

7. Interim order, if any, continuing shall stands vacated.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

Kanhu