



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 24715 OF 2025

1. Ramakanta Meher

2. Sushanta Khilai

3. Ashok Kumar Naik @ Nayak **Petitioners**

Mr. Gautam Mukherjee, Senior Advocate
being assisted by Mr. S. D. ray, Advocate

-versus-

1. State of Odisha

**2. Collector and District Magistrate,
Sundargarh**

**3. Block Development Officer,
Lehripara Block**

**4. Sarpanch, Barlipalli Gram
Panchayat**

5. NTPC Limited

.... **Opposite Parties**

Mr. Siba Narayan Biswal,
Additional Standing Counsel

Mr. Aditya Narayan Dash, Senior Advocate
being assisted by Mr. Tanmay Mishra, Advocate
(for NTPC- Opposite Party No.5)

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SAVITRI RATHO

ORDER

20.11.2025

Order No.

03. 1. This matter is taken up through hybrid mode.
2. Petitioners in this writ application pray for the following relief;

“In the light of the aforesaid facts and circumstances, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:
a) Issue an order, or direction quashing the impugned notice dated 25.08.2025 issued by the



Sarpanch of Barlipalli and the impugned letter dated 24.08.2025 bearing No. 7539 issued by the Sub-I Collector, Sadar, Sundargarh, for convening a Gram Sabha in Village Daripali for acquisition of Ac. 27.51 of private land AND;

b) Issue an order, or direction restraining the Opposite Parties from proceeding with any land acquisition or diversion of land in Village Daripali without strict compliance with the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996, and the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, including mandatory Social Impact Assessment, Socio-Economic Survey, and free, prior, and informed consent of the Gram Sabha AND;

c) Direct the Opposite Parties to ensure full implementation of rehabilitation and resettlement commitments, including livelihood restoration, educational continuity, food security, and social safeguards for the displaced and affected families, before initiating or proceeding with any project-related activity; AND

d) Declare that no land acquisition in the Scheduled Area of Daripali can be undertaken against the overwhelming objections of the affected persons, and that any acquisition process ignoring such objections is unconstitutional and void; AND

e) Direct the Opposite Parties to place on record all Gazette Notifications, environmental and social clearances, Terms of Reference, and approvals from NTPC, the Ministry of Power, and the Ministry of Environment, Forest and Climate Change, pertaining to Unit-3 (Stage III) of Daripali Super Thermal Power Project, prior to any further proceedings;

And Pass such other order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the



interest of justice.
And for this act of kindness, the Petitioner as in duty bound shall ever pray."

3. On 10th September, 2025, Mr. Dash, learned Senior Advocate appearing for the NTPC-Opposite Party No.5 submitted that the Grama Sabha which was scheduled to be held that day was postponed. The matter was adjourned to 13th October, 2025, when Mr. Dash, learned Senior Advocate appearing for the NTPC-Opposite Party No.5 prayed for an adjournment to take instruction and file counter affidavit. Accordingly, the matter has been directed to be listed today.

4. Mr. Mukherjee, learned Senior Advocate appearing for the Petitioners submits that the Gram Sabha was held on 19th November, 2025 and was completed within half an hour. Thus, the Petitioners allege that the Gram Sabha was not conducted following due procedure and due opportunity was not provided to the villagers.

5. Mr. Dash, learned Senior Advocate, however, vehemently opposes the submission of the learned Senior Advocate. It is his submission that the Petitioners are not the villagers of the village- Darlipalli, where the Gram Sabha was held. He further submits that the Gram Sabha was held on 19th November, 2025 following due procedure of law.

6. Mr. Biswal, learned Additional Standing Counsel submits that he has no instruction in the matter and prays for two weeks' time to take instruction and file counter affidavit.

7. In that view of the matter, this Court adjourns the matter to be listed on 10th December, 2025.



8. Let the counter affidavit by the Opposite Parties be filed within a period of two weeks hence, serving copy thereof on learned counsel for the Petitioners.

9. Put up this matter on 10th December, 2025 along with the counter affidavits, if any, filed by the Opposite Parties.

(K.R. Mohapatra)
Judge

(Savitri Ratho)
Judge

04. I.A. No. 15148 of 2025

1. Steps taken pursuant to the Gram Sabha held on 19th November, 2025 shall be subject to result of the writ petition.

2. It is further made clear that any person aggrieved by the Gram Sabha may file their objection in this writ petition by the next date for consideration by this Court, even if, they are not parties to the writ petition.

(K.R. Mohapatra)
Judge

(Savitri Ratho)
Judge

Subhalaxmi

Signature Not Verified

Digitally Signed
Signed by: SUBHALAXMI PRIYADARSHANI
SAHOO
Reason: Authentication
Location: Orissa High Court, Cuttack
Date: 27-Nov-2025 14:57:09

