



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23869 of 2024

Dhiren Kumar Sahoo ***Petitioner***

Mr.S.P. Mishra, Sr. Advocate

-versus-

***The Talcher Super
Thermal Power Station,
Kaniha of N. T.P.C.,
Angul and others*** ***Opp. Parties***

*Mr.Aurobinda Mohanty,
Addl. Standing Counsel*

CORAM:

**HON'BLE MR.JUSTICE S.K. SAHOO
HON'BLE MISS JUSTICE SAVITRI RATHO**

ORDER

12.03.2025

Order No.

02.

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard Mr. S.P. Mishra, learned Senior Advocate appearing for the petitioner and learned Addl. Standing Counsel for the State.

This writ petition has been filed by the petitioner Dhiren Kumar Sahoo seeking for a direction to the opposite parties to extend the benefits of compensation in favour of the petitioner against NTPC SAP No. A/363 in pursuance of the judgment and decree dated 30.11.2022 and 12.12.2022 respectively passed by the learned Additional Senior Civil Judge, Talcher in Civil Suit No. 200 of 2016, in which the petitioner was the plaintiff.

On perusal of the aforesaid judgment, it appears that in the operative portion, it is stated that defendant no.1 Usha



Sahoo is declared as not the widow of Banamali Sahoo and defendant nos.2 and 3 i.e. the Collector, Angul and Special Land Acquisition Officer, NTPC, Angul were directed not to accept the nomination of defendant no.1 against the SAP (Substantially Affected Person) No.A/363 allotted in the name of Banamali Sahoo.

Mr. S.P. Mishra, learned Senior Advocate appearing for the petitioner submitted that in pursuance of the said judgment and decree, representations were made before the concerned authority for providing the R.R. benefits in lieu of job in favour of the petitioner. However, the Special Land Acquisition Officer, NTPC, Angul in its letter dated 01.07.2023 vide Annexure-7 has been pleased to observe that there is no specific order in the said judgment regarding payment of R.R. package against SAP No.A/363 in favour of the petitioner and thus, it is not possible for payment of R & R in view of job benefits in favour of the petitioner. Learned Senior Counsel drew the attention of this Court to page 10 of the judgment, where the learned Addl. Senior Civil Judge while answering issue nos.III and IV has held that the plaintiff (petitioner) proved his claim over the property of Banamali Sahoo vide Ext.2 and Ext.2 stands good as no rebuttable evidence was adduced by the defendants.

When we made a query to the learned Senior counsel as to whether the defendant no.1 Usha Sahoo has challenged the said judgment before any higher forum, he referred to paragraph 13 of the writ petition, wherein, averments have been taken that the judgment and decree passed by learned Addl. Senior Civil Judge was never challenged in appeal before the Appellate Court and thus, the said judgment has attained finality. However, Mr. Mishra seeks some time to obtain further instruction in the matter regarding development, if



any, in the meantime and file an affidavit of the petitioner in that respect by the next date.

List this matter on 19th March 2025.

(S.K. Sahoo)
Judge

(Savitri Ratho)
Judge

PKSahoo

Signature Not Verified

Digitally Signed
Signed by: PRAMOD KUMAR SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 17-Mar-2025 16:27:43

