



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). NO. 33457 OF 2025

Kadam Bag

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Petitioner

Mr. Bijaya Kumar Behera, Advocate

-versus-

1. State of Odisha

2. The Director (R&R) & Ex-Officio

Additional Secretary to Government,

Department of Water Resources,

Odisha, Bhubaneswar

3. The Special Land Acquisition

Officer-cum-RRO, Lower Indra

Irrigation Project, Khariar, District-

Nuapda

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Opp. Parties

Mr. M.K. Dash, ASC

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SAVITRI RATHO

ORDER

10.12.2025

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. The grievance of the Petitioner, in this writ petition, is with regard to inaction of the Special Land Acquisition Officer-cum- R.R.O., Lower Indra Irrigation Project, Khariar (Opposite Party No.3) in disposing of his application filed under section 28-A of the Land Acquisition Act, 1894 (for brevity, 'the Act').
 3. It is submitted by Mr. Bijaya Kumar Behera, learned counsel for the Petitioner that LAR No.08 of 2017 of village Kalimati in the District of Nuapada referred under Section 18 of the Act was disposed of vide judgment dated 14th September,



2023 enhancing the compensation. Since the land of the Petitioner was acquired under the same Notification No.23409 dated 16th May, 2001 published under section 4 (1) of the Act, the Petitioner filed an application under section 28-A of the Act for redetermination of compensation for acquisition of his land in terms of the judgment passed in LAR No. 08 of 2017. But, the said application was not disposed of within a reasonable time for which the Petitioner has approached this Court in the present writ petition.

Considering the grievance of the Petitioner, this Court vide Order dated 26th November, 2025 directed learned State Counsel to take instruction with regard to current status of the petition filed by the Petitioner under Section 28-A of the Act.

4. Mr. Dash, learned Additional Standing Counsel, on receiving written instruction from the Opposite Party No.3, submits that the Government in the Department of Water Resources, Odisha, Bhubaneswar, has communicated the sanction order in connection with the judgment in LAR No. 08 of 2017 vide order No.10190/WR dated 17th April, 2025. Hence, the Special Land Acquisition Officer & RRO, Lower Indra Irrigation Project, Khariar vide his Letter No.2134 dated 5th December, 2025 stated that in the instant LAR case, the case of the Petitioner has been taken up and notice has been issued for hearing. The written instruction of the Opposite Party No.3 vide Letter No. 2134 dated 5th December, 2025 filed by Mr. Dash, learned Additional Standing Counsel is taken on record.



5. Considering the submissions made by the learned counsel for the parties, this Court finds that sanction order in connection with LAR No.08 of 2017 has already been received by Opposite Party No.3.

Hence, this Court without expressing any opinion on the merit of the case of the Petitioner in the application under Section 28-A of the Act, disposes of the writ petition with a direction that the petition under Section 28-A of the Act, filed by the Petitioner shall be disposed of in accordance with law, as expeditiously as possible, preferably by end of February, 2026 and decision thereof be communicated to the Petitioner forthwith. If the Petitioner is found to be entitled to the enhanced compensation in terms of judgment passed in LAR No.08 of 2017, then the differential amount along with other statutory dues shall be released in favour of the Petitioner, as expeditiously as possible, preferably by end of June, 2026.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

(Savitri Ratho)
Judge

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