



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 37186 OF 2025

Khusiram Rout @ Goud

....

Petitioner

Mr. Bijaya Kumar Behera, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Manmaya Kumar Dash,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

02.07.2026

Order No.

3.
 1. These matters are 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-RRO, 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. Behera, learned counsel for the Petitioner that LAR No.8 of 2017 of village Lambipani 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 re-determination of compensation for acquisition of his land in terms of the judgment passed in LAR No. 8 of 2017. But, the said amount has not yet



been released in favour of the Petitioner. Thus, the Petitioner has approached this Court in the present writ petition.

Considering the grievance of the Petitioner, this Court vide Order dated 4th February, 2026 directed learned State Counsel to take instruction with regard to current status of release of compensation in favour of the Petitioner under Section 28-A of the Act.

4. Upon receiving written instruction from the Opposite Party No.3, Mr. Dash, learned Additional Standing Counsel submits that Government in the Department of Water Resources, Odisha, Bhubaneswar have been moved by the Opposite Party No.3 for sanction of the decretal dues in LAR No. 8 of 2017 vide Office Letter No.9286 dated 25th March, 2026. The sanction for payment of deferential amount pursuant to the judgment dated 14th September, 2023 passed by learned Civil Judge (Senior Division), Nuapada in LAR No.8 of 2017 initiated under Section 18 of the Act is awaited. The written instruction of the Opposite Party No.3 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 without further delving into the matter, disposes of the writ petition with a direction that steps shall be taken by the Special Land Acquisition Officer & RRO, Lower Indra Irrigation Project, Khariar to dispose of the application of the Petitioner filed under Section 28-A of the Act at the earliest. If the Petitioner found eligible to receive the enhanced compensation in terms of the judgment in LAR No.8 of 2017,

Signature Not Verified

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Signed by: MADHUSMITA SAHOO
Designation: SENIOR STENOGRAPHER
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 02-Jul-2026 20:38:09



then the Special Land Acquisition Officer & RRO, Lower Indra Irrigation Project, Khariar shall do well to get the order of sanction pursuant to the order passed in the application of the Petitioner under section 28-A of the Act by end of September, 2026 and disburse the differential compensation along with other statutory dues by end of September, 2026.

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

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

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