



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 37161 OF 2025**

***Duryodhan Majhi***

....

***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, 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.63 of 2019 of village Sandhibahali in the District of Nuapada referred under section 18 of the Act was disposed of vide judgment dated 4<sup>th</sup> March, 2024 enhancing the compensation. Since the land of the Petitioner was acquired under the same Notification No.51479 dated 3<sup>rd</sup> November, 2000 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 judgment in LAR No.63 of 2019. 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 4<sup>th</sup> February, 2026 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.63 of 2019. Hence, the Special Land Acquisition Officer & RRO, Lower Indra Irrigation Project, Khariar vide Letter No.12064 dated 24<sup>th</sup> April, 2026, has stated as under:

*“From*

*Shri Ashok Kumar Behera, OAS (SS),  
Director (R&R) & Ex-Officio Special  
Secretary to Government.*

*To*

*The Advocate General, Odisha, Cuttack.*

*Sub: - Compliance to the WP(C) No. 37161 of 2025  
(Duryodhan Majhi vs. State of Odisha &  
Others).*

*Sir,*

*With reference to this Department Letter No. 9284 dated 25.03.2026, I am directed to say that the Spl. LA & RRO, LIIP, Khariar, Nuapada, has furnished a compliance report vide Letter No. 642 dated 26.03.2026.*

*As reported, Shri Duryodhan Majhi, S/o Chulchulia Majhi of Village Sandhibahali, filed a petition under Section 28(A) of the Land Acquisition Act, 1894 on 05.04.2024, referring to the judgment dated 04.03.2024 in LAR No. 63/2019 relating to Khata No. 110 of Mouza Agryan, seeking higher compensation.*



*Examination of the case indicates that this department, had already communicated the sanction order in connection with the aforesaid judgment, i.e., LAR No. 63/2019, vide Order No. 32157/WR dated 25.11.2024*

*It is further reported that a notice was issued to the petitioner vide this office Notice No. 411 dated 09.03.2026, directing him to appear on 16.03.2026 along with relevant documents (Copy of the notice enclosed). However, the petitioner failed to appear on the scheduled date. Necessary action is being taken to issue a second notice for hearing of the petitioner.*

*It is therefore, requested to kindly pray before the Hon'ble High Court for 3 months' time to fully comply the orders of the Hon'ble High court in **WP(C) No. 37161 of 2025.***

*This may be treated as "URGENT".*

The written instruction of the Opposite Party No.3 vide Letter No.12064 dated 24<sup>th</sup> April, 2026 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.63 of 2019 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 August, 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.63 of 2019, then the differential amount along

Signature Not Verified

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



with other statutory dues shall be released in favour of the Petitioner,  
as expeditiously as possible, preferably by end of October, 2026.

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

***(K.R. Mohapatra)***  
***Judge***

***(S.K. Mishra)***  
***Judge***

*ms*