



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 37210 OF 2025

Gajin Nag

....

Petitioner

Mr. Bijaya Kumar Behera-1, 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 No.

ORDER
25.02.2026

2. 1. This matter is taken up through hybrid mode.
2. 2. Grievance of the Petitioner in this Writ Petition is with regard to the inaction of the Special Land Acquisition Officer-cum-RRO, Lower Indra Irrigation Project, Khariar- Opposite Party No.3 in disposing of his application under Section 28-A of the Land Acquisition Act, 1894 (for brevity, 'the Act') filed in terms of judgment dated 18th April, 2024 passed by learned Civil Judge (Senior Division), Nuapara in LAR Case No.21 of 2021 in reference under Section 18 of the Act.
3. 3. Considering the grievance of the Petitioner, this Court, vide order dated 22nd January, 2026, directed learned State counsel to take detailed instruction in the matter.
4. 4. Mr. Dash, learned ASC on instruction from Opposite Party No.3 vide letter No.452 dated 23rd February, 2026,



submits that there are lot of discrepancies in the application filed under Section 28-A of the Act annexed as Annexure-3 to the Writ Petition and the application received by the Opposite Party No.3. For better appreciation, the written instruction imparted by the Opposite Party No.3 is reproduced hereunder.

“Sir,

In inviting a reference to the subject cited above, I am to say that Gajin Nag S/o-Hari Nag of village Jhalkusum has filed petition u/s-28(A) of the LA Act, 1894 on 16.07.2024 referring the judgment dtd. 18.04.2024 in LAR No.21/2021 relating to Khata No.35 measuring an area Ac.2.23 of Mouza Jhalkusum for higher compensation. On scrutiny of the application, it is found that, the application submitted by the petitioner in this office is differ relating to petition filed in this writ petition at Annexure-3. Both the copy of the petitions are enclosed herewith for kind reference. It is pertinent to mention here that as per application available in this office, the petitioner has filed petition on 16.07.2024 but as per Annexure-3 of this writ petition, it is revealed that the petitioner filed petition on 13.06.2024. The initial put by the officer on the body of the application and location is mismatched. Further, in the land schedule it has been mentioned total area Ac.2.89 dec. in the application available in the office but the complete application has not been found in this writ petition at Annexure-3.

I would therefore request you to please appraise the facts to the Hon'ble High Court, Orissa, Cuttack and pray for drop the writ petition due to submission of doubtful petition u/s-28(A) of the LA Act, 1894 filed in this writ petition.

Encl: As above.

Yours faithfully,

Sd/- (illegible)

*Spl. L.A. &R.RO.. Lower Indra Irrigation Project,
Khariar”*

Written instruction imparted from Opposite Party No.3 is taken on record.



5. Mr. Behera, learned counsel for the Petitioner, however, submits that the copy of Annexure-3 has been provided by the office of the Special Land Acquisition Officer- Opposite Party No.3.

6. Considering the submissions made by learned counsel for the parties, it is apparent that the Opposite Party No.3 has already received the application under Section 28-A of the Act. Hence, he is required to take a decision on the same.

7. Accordingly, it is directed that the Special Land Acquisition Officer-cum-RRO, Lower Indra Irrigation Project, Khariar-Opposite Party No.3 shall do well to consider the application of the Petitioner filed under Section 28-A of the Act as expeditiously as possible, preferably by end of May, 2026.

7.1 If the Petitioner is held to be entitled to receive compensation at the enhanced rate the same shall be released in his favour by end of August, 2026 on verification of his entitlement.

8. The Writ Petition is accordingly disposed of.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge