

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39226 of 2023

Kuldip Naik

Petitioner
....
Mr. S.P. Patra, Advocate

-versus-

State of Odisha and others

Opposite Parties
....
Mr. Nikhil Pratap, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
04.12.2023

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel appearing for the State-Opposite Parties.
 3. The Petitioner has filed the present writ application with the following prayer:

“It is prayed therefore, that this Hon’ble Court may graciously be pleased to:-

- a) Admit the writ application:
- b) Call for the records:
- c) Issue Rule Nisi in calling upon the opposite parties as to why Rehabilitation & Resettlement benefit shall not be provided to the petitioner under provision of the Odisha Resettlement and Rehabilitation Policy, 2006 within a time to be stipulated by this Hon’ble Court.
- d) If the opp. parties fails to show cause or shown insufficient

cause the said rule be made absolute.

And pass such other order(s), direction(s) as this Hon'ble Court may deem fit and proper."

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Collector, Sundargarh, Opposite Party No.2 under Annexure-3. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.2 to consider the representation of the Petitioner under Annexure-3 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.2, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party No.2 to consider the representation of the Petitioner under Annexure-3 within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.2 shall do well to dispose of the representation of the Petitioner under Annexure-3 by passing a speaking and reasoned order. While considering the representation of the Petitioner under Annexure-3, the Opposite Party No.2 shall also take into consideration the Rehabilitation and Resettlement Policy, 2006 of the Govt. of Odisha. The decision so taken by the Opposite Party No.2 be also communicated to the Petitioner within two weeks thereafter.

7. With the aforesaid observation, the writ application stands disposed of.
8. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Debasis



Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Designation: Secretary
Reason: Authentication
Location: OHC, CUTTACK.
Date: 08-Dec-2023 11:03:51

