



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6570 of 2025

***Sri Gopal Jew Thakur
Bije, Cuttack***

.....

Petitioner

*Mr. D. Behera,
Advocate*

-versus-

***State of Odisha and
others***

.....

Opp. Parties

*Mr. Jateswar Nayak,
Addl. Govt. Advocate*

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER

29.04.2025

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned Addl. Govt. Advocate for the State.

This writ petition has been filed by Sri Gopal Jew Thakur Bije, Cuttack, Marfat Mahanta Sri Sujan Kumar Das with a prayer for a direction to the opposite parties to pay compensation to the petitioner in respect of land acquired belonging to the hereditary trustee of Sri Gopal Jew Thakura Bije Marfat the petitioner in accordance with the assessment and determination of valuation of the land for payment of compensation as was fixed in LAA No.143 of 2010 for village Majurigadia, under



Dhamnagar Tahasil having Khata No.101 and 189 of Bhadrak district and with further direction to the Opp. Parties to pay the compensation to the petitioner by applying the same assessment as was decided in LAA No. 143/2010 within a stipulated time.

Learned counsel for the petitioner submitted that the petitioner has received the compensation amount awarded for acquisition of the land of the petitioner under protest and the same was on the lower side. He submitted that one Smt. Renubala Nayak challenged the order passed by the learned Civil Judge (Sr. Division), Bhadrak in LA. Misc. Case No.248 of 1996 in the matter of reference under section 18 of the Land Acquisition Act, 1894 (hereafter '1894 Act') before this Court under section 54 of the 1894 Act in LAA No.143 of 2010 relating to the same village Majurigadia and she has been granted higher compensation by this Court. It appears that the petitioner has filed a representation before the Collector, Bhadrak, opposite party no.2 for claiming higher compensation and submits that the same may be directed to be disposed by the Collector, Bhadrak keeping in view the net value of the land fixed by this Court in the case of Smt. Renubala Nayak. The learned counsel for the petitioner does not dispute that the petitioner has got alternative remedy for challenging the higher compensation being dissatisfied with the quantum which he has already received.



We are of the view that since without availing the alternative remedy, the petitioner has approached this Court, without expressing any opinion on the merits of the case, we permit the petitioner to seek such remedy in accordance with law.

Accordingly, the writ petition stands disposed of.

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

(S.K. Sahoo)
Judge

(S. S. Mishra)
Judge

Pravakar