

IN THE HIGH COURT OF ORISSA AT CUTTACK

O.J.C. NO.13463 OF 2000

Smt.Jyotsna Singh

.... Petitioner

Mr.P.C.Chhinchani, Adv.

-versus-

State of Orissa & ors.

.... Opposite Party(s)

Mr.S.Mishra, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
7.9.2022**

Order No.

25.

1. Heard learned counsel for the Parties.
2. The Writ Petition involves a direction for payment of compensation on account of custodial death.
3. From the order dated 31.7.2006, this Court finds, for the threadbare consideration of the issue involved, the Division Bench of this Court directed the Government to deposit a sum of Rs.1,50,000/- to be granted in favour of the Petitioner following the order dated 19.4.2006. This amount having been deposited paid to the Petitioner. It appears, above payment is apart from the sum of Rs.1,00,000/- already paid to the Petitioner as interim compensation. There is no dispute that the Petitioner is already in entitlement of amount of Rs.2,50,000/- in the year 2006. This ends the present litigation so far it relates to compensation aspect. The only cause of

action surviving in the Writ Petition appears to be in passing of order dated 31.7.2006. In the very same order, the Division Bench of this Court directed the Secretary to Government in Home Department to appear in person before the Court on 7th August, 2006 and to apprise the Court as to what action the State has taken with regard to the recommendation made by the Additional Director General of Police against certain officers and produce the relevant documents. This Court here finds from the order dated 17.8.2006, the Deputy Secretary to Government, Home Department following the direction of this Court dated 31.7.2006 has filed an affidavit. This Court perused the said affidavit. Reading through the affidavit dated 14.8.2006, this Court finds, there has been further course of action following the recommendation of the Competent Authority against the persons involved even including undertaking departmental proceeding against such persons. For the undertaking appropriate exercise, all such proceedings should see logical end, this Court finds, there is no further requirement of keeping this Writ Petition pending here.

4. In the process, this Court drops the proceeding for having no further cause of action presently.

(Biswanath Rath)
Judge

M.K.Rout