

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO. 1469 OF 2022

Snehalata Behera

....

Petitioner

Mr.Pravash Chandra Jena,Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
16.02.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The grievance of the Petitioner in this writ petition is with regard to inaction of the Authorities in granting the financial assistance under the Scheme for Incentive Award for Inter-Caste Marriage.
3. Mr. Jena, learned counsel for the Petitioner submits that the Petitioner has an inter-caste marriage and is entitled to receive incentive under the Scheme. She, accordingly, made an application on 29th November, 2016 to the District Welfare Officer, Nayagarh- Opposite Party No. 3 to release the incentive under the aforesaid Scheme. But the District Welfare Officer, vide the letter No. 22 of 2016 (Annexure-3), intimated the Petitioner that the financial assistance can be sanctioned only after finalization of fake certificate case regarding her caste status.
4. It is submitted by Mr. Jena, learned counsel for the Petitioner that in CMA No. 25 of 2012 filed under Section 45-B of the Odisha Panchayat Samiti Act, 1959, learned District Judge, Nayagarh has

already held that the caste certificate issued in favour of the Petitioner is not fake. Hence, he submits that there is no legal impediment on the part of the authorities to consider her application and release the incentive as aforesaid, at an early date.

5. Mr. Mishra, learned Additional Standing Counsel, on the otherhand, submits that there is a portal of the State Government for submitting application to receive incentive for inter-caste marriage. The Petitioner has to make an application in the portal by complying with the requirements and enclosing the documents mentioned therein. On making such application the same will be scrutinized and incentive, as aforesaid, would be released in favour of the Petitioner directly to her account, if she is otherwise entitled to.

6. Taking into consideration, the contention of learned counsel for the parties, this Court, without entering into the merits of the case of the Petitioner, disposes of the writ petition with a direction that in the event, the Petitioner submits her application in the portal provided by the State Government, her application shall be considered expeditiously and incentive, if any, shall be released in favour of the Petitioner, if she is entitled to.

A free copy of the order shall be made over to the Mr. Mishra, learned Additional Standing Counsel for information and compliance.

Issue urgent certified copy of this order on proper application.

(K.R. Mohapatra)
Judge