

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2780 of 2022

Mayarani Mahali

....

Petitioner

Mr. Pabitra Kumar Nayak, Adv.

-versus-

State of Odisha and Ors.

....

Opposite Parties

Mr. D. Mund, AGA

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order
No.

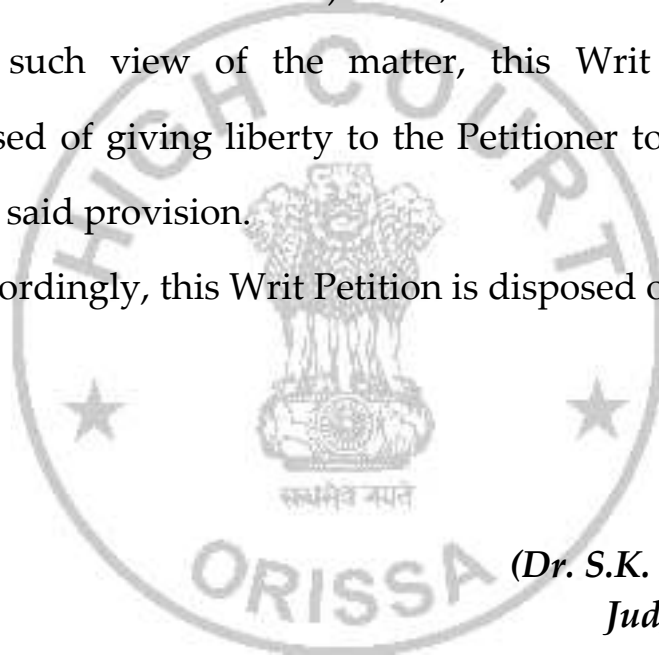
ORDER
07.09.2022

08. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this Writ Petition, the Petitioner challenges the order dated 28.12.2021 passed by the Opposite Party No.3/ Deputy Director, Department of Higher Education, Odisha, Bhubaneswar rejecting the claim of the Petitioner for appointment under the Rehabilitation Assistance Scheme.
4. Learned counsel for the Petitioner submits that the application of the Petitioner was rejected on the ground of delay and laches and also due to failure on the part of the Petitioner to produce her divorce certificate as the said divorce was done under the customary law by the community. The Petitioner has also produced the divorce

certificate issued by the Sarpanch, Badmanda Gram Panchayat, in the district of Mayurbhanj wherein it has been certified that divorce of the Petitioner has been done under the customary law. But, the authority dismissed the application of the Petitioner on the ground of delay. In view of the above, the Petitioner is granted liberty to invoke Rule-9(12) of the Orissa Civil Service (Rehabilitation Assistance) Rules, 1990.

5. In such view of the matter, this Writ Petition is disposed of giving liberty to the Petitioner to invoke the above said provision.

6. Accordingly, this Writ Petition is disposed of.



(Dr. S.K. Panigrahi)
Judge

B.Jhankar