

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6309 of 2022

Rabi Singh

....

Petitioner

Mr. S.K. Patnaik, Advocate

-versus-

Union of India and others

....

Opposite Parties

Mr. P.K.Parhi, ASGI along with

Ms. Sulochana Patro, C.G.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.03.2022

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 counsel for the State. Perused the record.

3. The present writ petition has been filed by the petitioner with the following prayer :-

“To direct the Opposite Parties to give compassionate appointment to the petitioner by considering his application under Annexure-4 within a stipulated time period as desired and deem fit.

And pass such order/orders, direction/directions as this Hon’ble Court deems fit and proper in the facts and circumstances of the case”

4. It is submitted by learned counsel for the Petitioner that father of the petitioner died in harness. Therefore, the present petitioner has filed an application under Rehabilitation Assistance Scheme for

compassionate appointment in the year 2015 after the death of his father. On 06.04.2018 an affidavit has been filed by the petitioner claiming compassionate appointment under Rehabilitation Assistance Scheme. He further submits that the said representation is pending before the Director, Directorate of Census Operations, Odisha, Bhubaneswar-Opposite Party No.2 but the said Opposite Party has not considered the same as of now. However, aggrieved by the inaction of the authorities, the petitioner submitted an application before the Director, Directorate of Census Operations, Odisha, Bhubaneswar-Opposite Party No.2 on 09.02.2022, which is also stated to be pending before the said Opposite Party.

5. Learned counsel for the petitioner further draws attention of the Court that the letter dated 14.09.2021 under Annexure-6 of the Deputy Director & HO wherein the present petitioner has been intimated that the Registrar General & Census Commissioner, India, New Delhi-Opposite Party No.1 is the competent authority for considering the case of the Compassionate Appointment and as such, the application of the petitioner to be forwarded to the Registrar General & Census Commissioner, India, New Delhi-Opposite Party No.1 for necessary consideration.

6. Mr. Parhi, learned ASGI, appearing for the Opposite Parties submits that he has no objection, if a direction is given to the said authorities to consider the representation of the Petitioner within a stipulated period of time.

7. Considering the submissions made by the respective parties, this Court disposes of the writ petition at the stage of admission with a direction to the Registrar General & Census Commissioner, India, New Delhi-Opposite Party No.1 to consider the representation of the Petitioner dated 09.02.2022 under Annexure-8 in accordance with

law within a period of three months from the date of production of certified copy of this order. Further the Opposite Party No.1 is directed to consider the representation of the Petitioner and dispose of the same by passing a speaking and reasoned order. Any decision taken on the same shall be communicated to the Petitioner within a period of two weeks thereafter.

8. With the aforesaid direction, the writ petition stands disposed of.

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

Jagabandhu

