

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.7154 of 2022
(Through hybrid mode)**

Rasmita Pradhan and others

....

Petitioners

Mr. K. C. Nayak, Advocate

-versus-

State of Odisha others

....

Opposite Parties

Mr. P. C. Behera, Advocate
(Standing Counsel, Transport Department)

CORAM: JUSTICE ARINDAM SINHA

**ORDER
12.09.2022**

**Order No.
04.**

1. Mr. Nayak, learned advocate appears on behalf of petitioners and submits, further copy was made over to learned advocate for the Transport Department.
2. Mr. Behera, learned advocate, Standing Counsel appears for the department and points out, there was notification dated 14th May, 2018, published in Odisha Gazette Extraordinary, pursuant to direction made by the Supreme Court in a judgment. Under clause III, regarding procedure for claiming compensation from solatium fund, there is requirement for the application to be made within six months from date of accident. He submits, the accident took place on 20th May,

2019 and the application was made on 17th January, 2022.

3. On query from Court he submits, the guidelines do not provide for condonation of delay. However, in event there is direction, his client will consider the claim.

4. Impugned order dated 19th January, 2022 is set aside and quashed. Petitioner will approach opposite party no.3 with copy of this order and the solatium fund application. Said opposite party is directed to consider and deal with the application and inform petitioners the result, within four weeks of approach.

5. The writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant

