

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.7706 OF 2022

Taramani Sahoo

....

Petitioner

Mr.N.Behera, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**Order
No.**

**ORDER
31.3.2022**

1. 1. Heard learned counsel for the Parties.
2. 2. The Writ Petition involves the following prayer :-

“Therefore, it is humbly prayed that this Hon’ble court may graciously be pleased to :

 - i. Admit this writ petition;
 - ii. Issue notice to the Opp.Parties and call for the relevant records;
 - iii. Issue appropriate writ/writs direction/directions directing the Opp.Party No.3/Sub-Collector, Nayagarh to conclude the proceeding which is registered as Misc. No.45/2020 within stipulated time period;
 - iv. Pass appropriate order/orders direction/directions directing the Opp.Party No.3 to dispose of the representation dtd.20.12.2021 under Annexure-8.”

3. The representation of the Petitioner, who is a widow and senior citizen being neglected by her son and daughter-in-law, appears to have been moved under the provision of the Maintenance

& Welfare of Parents & Senior Citizens Act, 2007, which has been further supported with the Odisha Rules, 2009. Considering the allegation of a Senior Citizen of 74 years and a widow and for the dilly dally process adopted by the Competent Authority, this Court finds, finding negligence by the children to their old parents, the Parliament in its wisdom has brought an Act, as above, authorizing the Competent Authority to look into the grievance under such Act and attempt to secure the interest of the Senior Citizen at the earliest. On coming of the Act, the Competent Authority has also been created to look after such complaints. Looking to the materials available on Record, it is unfortunate to note that the complaint of a Senior Citizen was registered as Misc. Case No.45/2020 in 2020 and the present Writ Petition was filed on 29.3.2022. Considering there is no disposal of serious complaint involved, it is alleged that even after two years passed, the complaint of the Senior Citizen has not been decided thereby there is complete defeat of the Act so brought in the hand of the Public Authority/Competent Authority. This Court looking to the development through Annexure-5 while taking serious note on the complaint involved and the allegation on delay consideration of such Complaint resulting serious prejudice to the Senior Citizen endangering her maintenance of life even after coming to the hand of the Public Authority, while observing that

such proceeding should be decided within reasonable period and as expeditiously as possible, this Court also observes there is defeat of the statutory provision by Public Authority and jeopardizing the future of Senior Citizen in distressed condition. This Court to avoid any further loss of time in issuing notice in such matter and seeking explanation from the Public Authority for delay disposal of such matter feels it appropriate to dispose of the Writ Petition directing the Authorised Officer created under the Act undertaking the exercise of Misc. Case No.45/2020 at least to conclude the proceeding within a period of two months from the date of communication of this order, but however involving the Parties likely to be affected.

4. The Writ Petition stands disposed of accordingly.

5. A free copy of this order be supplied to Mr.Ghosh, learned ASC, who is to see compliance of the direction of this Court.

(Biswanath Rath)
Judge

M.K.Rout