

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8759 of 2022

Jagannath Das

....

Petitioner

.

Mr. S.R.Das, Advocate

-versus-

State of Odisha & another

....

Opp.Parties

Mr. P.C.Das, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.04.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel.
3. Being aggrieved by the decision of the Cuttack Municipal Corporation, Cuttack dated 24.01.2022, the Petitioner has filed the present writ application whereunder the application of the Petitioner for appointment under Rehabilitation Assistance Scheme has been rejected by the Joint Commissioner, Cuttack Municipal Corporation. On a perusal of the impugned order, it appears that the Joint Commissioner while rejecting the application of the Petitioner has not given any reason as to why the application of the Petitioner has been rejected.
4. Law is well settled that any quashi judicial or administrative authority while passing an order has to give reasons in support of the

decision taken by them either allowing or rejecting any application. Considering the rejection order, it appears that the Joint Commissioner has passed order in a casual manner without assigning any reason whatsoever.

5. Therefore, this Court is of the considered view that the impugned order under Annexure-5 dated 24.01.2022 is unsustainable in law. Therefore, the same is set aside and the matter is remanded back to Opposite Party No.2 to consider the matter afresh within a period of two months from the date of production of certified copy of this order and the case of the Petitioner be considered in the light of the judgment of this Court as well as the Supreme Court of India and the same be disposed of by passing a speaking and reasoned order within the time stipulated herein above. The decision so taken shall be communicated to the Petitioner within two weeks thereafter.

6. With the aforesaid observation, the writ application stands disposed of.

7. Issue urgent certified copy as per Rules.

RKS

(A.K. Mohapatra)
Judge