

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.12770 of 2021
(Through hybrid mode)**

Rural Development Action Cell ***Petitioner***
Mr. S. Tibrewal, Advocate

-versus-

Union of India and others ***Opposite Parties***
Mr. T. Pattanayak, ASC
Mr. P. P. Behera, CGC

CORAM: JUSTICE ARINDAM SINHA

ORDER
09.09.2022

Order No.
07.

1. Mr. Tibrewal, learned advocate appears on behalf of petitioner and submits, his client is an NGO, running a Child Care Institute. The State Government was caused its closure. House rent for the premises where the institute was being run remains unpaid. Prayer is to direct the authorities for causing the payment.

2. Mr. Pattanayak, learned advocate, Additional Standing Counsel appears on behalf of State and submits, the institution was closed on 3rd June, 2020. House rent for period prior and ending on that will be paid upon State being in funds by Union of India.

3. Mr. Behera, learned advocate appears on behalf of Union of India and submits, for period commencing year, 2016 till year, 2020,

State has not raised bill on house rent in respect of the NGO. Upon the bills being raised, payment can be made only through State Government. He submits further, in between for year 2017-18 the rent was claimed and paid. For the rest period, claim had not been made. Mr. Pattanayak respond, the claim will be raised within two weeks from date.

4. State is directed to raise claim on balance outstanding rents in respect of the premises, where the child care institute was being run, within two weeks from date. On receipt of the claim Union of India will, thereafter, within three weeks therefrom, fund concerned department of the State Government for onward payment of the rent. Payment should be made to petitioner to pay the rent, on or before 12 weeks from date.

5. Mr. Tibrewal submits, closure was because of non-payment of rent.

6. Mr. Pattanayak submits, petitioner can make representation to State regarding opening of the child care institute. In event petitioner makes such a representation to concerned department of State, same will be expeditiously considered and dealt with.

7. The writ petition is disposed of.

(Arindam Sinha)
Judge