

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12912 of 2022

Chinmaya Dash & another

....

Petitioners

Mr. Sisir Ku. Purohit, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.P.Babu, A.G.A.

**CORAM:
JUSTICE A.K. MOHAPATRA**

**ORDER
29.06.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioners as well as learned Additional Government Advocate for the State.
3. It is submitted by the learned counsel for the Petitioners that the father of Petitioner No.1 died in harness on 26.05.1999. Thereafter the mother of the Petitioner no.1 applied for job under the OCS(RAS) Rules, 1990 in the year 2000. It is further submitted by the learned counsel for the Petitioner that since 2000 the application of the mother of the Petitioner for appointment under Rehabilitation Assistance Scheme is pending. Further drawing the attention of this Court to a letter dated 03.01.2018 under Annexure-7, learned counsel for the Petitioner submits that delay in filing application has been condoned by the authority and her application has been forwarded to the competent authority for consideration of appointment of the mother of the Petitioner in vigilance unit under rehabilitation assistance scheme in Group D post. It is further submitted by the learned counsel for the Petitioner that despite such recommendation the matter is still pending

before the authority since 2018 and in the meantime four years have been elapsed. Therefore, learned counsel for the Petitioner seeks for direction to the authority to consider the application for appointment under Rehabilitation Assistance Scheme within a stipulated time.

4. On the other hand, learned Additional Government Advocate submits that the matter is pending for consideration before the competent authority and he has no objection if a direction is given to the competent authority to take a decision on the application of the Petitioner for rehabilitation assistance scheme in accordance with law within a stipulated time.

5. Considering the aforesaid submissions and keeping in view the facts and circumstances of the present case, this Court in the larger interest of justice disposes of the writ application at the stage of admission directing the Director General of Police, Personnel, Cuttack, Opposite party No.2 to consider the application of the mother of the Petitioner for appointment under rehabilitation assistance Scheme within a period of two months from today in accordance with law keeping in view the law laid down in the case of *State of Madhya Pradesh vs. Ashish Awasthi*, reported in **2021(II) OLR (SC) 1072**. The decision so taken shall be communicated to the Petitioner two weeks thereafter.

5. With the aforesaid observation the writ application stands disposed of.

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

(*A.K. Mohapatra*)
Judge