

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPCRL No.69 of 2021**

***Mandi Rout***

.....

***Petitioner***

**-Versus-**

***State of Odisha & Ors.***

.....

***Opp. Parties***

Ms. S. Pattnaik, AGA

Mr. H.N. Mohapatra for O.P. No.8

**CORAM:**

**JUSTICE S. TALAPATRA**

**JUSTICE SAVITRI RATHO**

**ORDER**

**18.11.2022**

**Order No.**

- 16.
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
  2. By mistake, in the order dated 14.09.2022, the age of the missing person has been recorded as 80 years, which is not correct as the age of the missing person is 32 years. It is noted and corrected.
  3. None appears for the petitioner when the matter is called out.
  4. It has been stated by Ms. S. Pattnaik, Addl. Government Advocate appearing for the State that the search to locate the missing person, the son of the petitioner is continuing. From the counter affidavit filed by the Opposite Party No.5, it appears that the missing person was sent to Nilachal Seva Pratistan for shelter and treatment of

his mental illness. Thereafter, he was referred to SCB MCH, Cuttack on 09.10.2020 for better treatment.

5. He got missing in the transit. His whereabouts are still unknown. On 07.10.2020, a status report was filed. The police is without any trail.

6. In the writ petition, the petitioner has placed no material to hold that the missing person is detained illegally by any authority of the State or he has been taken to unlawful custody of any person.

7. Prima facie, it is not a case where this court can issue the writ of Habeas Corpus. We appreciate the way the State has been trying to locate the missing person, but we would expect more rigorous search for recovery of the missing person.

8. We dispose of this petition with the direction particularly on the Opposite Parties No.4 and 5 to take all possible steps to locate the missing person. If the missing person is located, the petitioner be immediately informed. On discussing with the petitioner and other family members, any issue relating to rehabilitation, be decided.

9. A copy of this order be supplied to Ms. S. Pattnaik, Addl. Government Advocate, free of cost.

**(S. Talapatra)**  
**Judge**

**(Savitri Ratho)**  
**Judge**