

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.24449 OF 2022

Sanjay Kumar Golari

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
26.9.2022

Order No

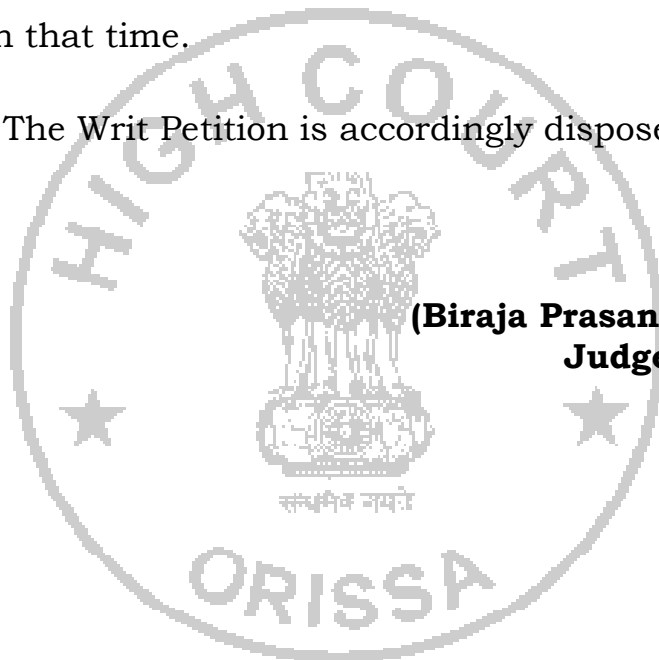
1. 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. B.B. Swain, learned counsel for the petitioner and Mr. R.N. Mishra, learned A.G.A
3. It is submitted that the petitioner's father though died in the year 2005, the petitioner after attaining majority made his application in the year 2012. It is submitted that on receipt of the said application and after receipt of the distress certificate, though the claim of the petitioner was considered at different level, but no final decision has been taken and it was kept pending. It is submitted that even though the petitioner was otherwise found eligible for his appointment under the provisions of the Rehabilitation Assistance Scheme, but the same was not considered and in the meantime, he was directed to make a fresh application in terms of OCS (RA) (Amendment) Rules, 2020. It is submitted that The petitioner has represented to Opp. party No.3 under Annexure-6 with a prayer to consider his claim in terms of the provision prevalent at the time of the death of the deceased employee.

Mr. Swain, learned counsel for the petitioner also submitted that the said claim of the petitioner is covered by the decision of the Hon'ble Apex Court rendered in the case of Malayananda Sethi Vs. State of Orissa & Others.

4. In that view of the matter, this Court while disposing the Writ Petition directs Opp. Party No.3 to take a decision on Annexure-6 in the light of the above noted decision, within a period of two months from the date of receipt of this order. The order so passed be also communicated within that time.

5. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge



Sangita