

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OA) No.269 of 2018

Udhaba Sethi

....

Petitioner

-versus-

State of Odisha & Others

....

Contemnors

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
20.9.2022

Order No

- 2.** 1. This matter is taken up through Hybrid Mode.
2. Heard Ms. Rath, learned counsel for the petitioner and Mr. B. Panigrahi, learned A.S.C.
3. Ms. Rath, learned Counsel for the petitioner submitted that the petitioner's father while continuing in the establishment of Executive Engineer, RWS Sub-Division, Dharmagarh, he was regularized and appointed as Khalasi vide order dated 3.11.2008 under Annexure-1. It is submitted that pursuant to the said order, the petitioner joined in the office of B.D.O, Dharmagarh-Opp. party No.7 on 7.11.2008 and while continuing in the said establishment, the petitioner's father died on 3.8.2010. It is further submitted that on the death of deceased employee, the petitioner submitted his application for his appointment under the provisions of the Rehabilitation Assistance Scheme before the B.D.O-Opp. Party No.7 on 15.2.2011 under Annexure-3. But it is submitted that in spite of such submission of the application on 15.2.2011, no follow up action has been taken by the said authority

and accordingly the petitioner is deprived of being appointed under the provision of the said Scheme. The petitioner challenging such inaction has also approached the B.D.O once again on 4.11.2018 under Annexure-6.

4. In spite of notice being issued, no counter has been filed.

5. Having heard learned counsel for the parties and in view of the fact the application with regard to the appointment of the petitioner under the provision for Rehabilitation Assistance Scheme is pending consideration before opp. party No.7, this Court while disposing of the writ petition direct the said authority to consider the same and take appropriate action within a period of three months from the date of receipt of the same. The order so passed be communicated to the petitioner within the aforesaid time.

6. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sangita