

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPCRL No.118 of 2019

Bidyutlata Tripathy

....

Petitioner

Mr. D.K. Palit, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. A.K. Nanda, A.G.A.

CORAM:

JUSTICE S. TALAPATRA

JUSTICE B. P. ROUTRAY

ORDER

04.07.2022

Order No.

10.

1. The matter is taken up through Hybrid mode.

2. We have confronted with a very strange situation. The Petitioner is the mother of Babananda Tripathy, who after his retirement from the service of the Indian Air Force associated himself with one Mahanta, namely, Ananteswar Baba@Ashok Kumar Satapathy of Maliapada Bada Matha of village Malipada, District-Khurda. The said Mahanta had one hotel in Jamnagar of Gujarat. According to the Petitioner, the said Mahanta had abducted her son on 22.02.2009. A missing report was lodged before the I.I.C., Berhampur Town Police Station on 10.06.2009. Despite persuasions of the Petitioner and her relatives, the missing person could not be traced out. Now, the daughter-in-law of the Petitioner is residing at Bangaluru, where the Petitioner's another son is employed. She has urged this Court to direct action so that her son be recovered and produced before her. Despite every efforts taken by the State, her son could not be traced out as yet. But from the affidavit filed by the Opposite Parties, it transpire that allegation of inaction against the State is absolutely

based on no foundation. During the investigation, what has further revealed, may in short be placed. After the retirement of the missing person, he continued to stay at Jamunagar, Gujrat and he came in contact with said Baba, who has been alleged of abducting the Petitioner's son. Notwithstanding all possible steps taken by the Police, the whereabouts of the Petitioner's missing son could not be located. The messages were circulated to all the Police Stations under which possible locations of the missing person situate.

3. Mr. A.K. Nanda, learned Additional Government Advocate appearing for the State has stated that the wife of the missing person has been receiving pension from the Indian Air Force, but the Petitioner did not receive any financial benefits on account of the service of her missing son. However, entitlement of the service benefits is not the subject matter in the present case.

4. In the circumstances, this petition stands disposed of, with the following directions:

If at any point of time, the missing person is traced and recovered, the Petitioner shall be informed forthwith.

No further order can be passed by this Court in the emerged circumstances.

(S. Talapatra)
Judge

(B.P. Routray)
Judge