

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 858 of 2018

Kumari Pomamani Hembram

.....

Petitioner

Mr. M. Pati, Adv.

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

13.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. M. Pati, learned counsel for the petitioner and Mr. S. Nayak, learned Additional Standing Counsel appearing for the State-Opposite Parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to give her appointment under compassionate ground under rehabilitation assistance scheme applicable to her as per the representation under Annexure-5, within a stipulated time.

4. Mr. M. Pati, learned counsel for the petitioner contended that in view of the representation filed by the petitioner under Annexure-5, the case of the petitioner may be considered for appointment under compassionate ground.

5. Mr. S. Nayak, learned Additional Standing Counsel appearing for the State-Opposite Parties contended that the petitioner has not applied for appointment in the prescribed format. Therefore, mere filing of representation will not suffice the claim of the petitioner.

6. Having heard learned counsel for the parties and after going

through the records, this Court finds that the petitioner has not made any application before the authority for appointment under compassionate ground in the prescribed format and, as such, he has only filed a representation vide Annexure-5 to that extent. But so far as claim of the petitioner with regard to compassionate appointment under rehabilitation assistance scheme is concerned, the same cannot be given on the basis of filing of a representation. Rather, the petitioner has to file application in the prescribed format, as per the scheme available to the petitioner. Since the petitioner has not applied for appointment in the prescribed format, the claim made by the petitioner cannot be adjudged on the basis of the representation filed by the petitioner under Annexure-5.

7. Accordingly, this writ petition stands disposed of with an observation that if the petitioner, so advised she may approach the authority by making application for compassionate appointment in the prescribed format in accordance with law.

(DR. B.R. SARANGI)
JUDGE

Ashok