

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.2470 of 2016

Madhab Bairagi

.... Petitioner

-versus-

State of Odisha & Others

.... Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
06.09.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. P.C.Das, learned counsel for the Petitioner and Mr. Y.S.P. Babu, learned Addl. Government Advocate for the State-Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-
- “(i) Direct / Order that representation / application submitted by the applicant for appointment under Rehabilitation Assistance Scheme shall be considered as per rules and she shall be engaged in any suitable post under Rehabilitation Assistance Scheme to save the family from distress.
- (ii) Direct/ Order that the applicant shall be paid the arrear dues, DCRG, EPF amount and all other retirement dues in respect of his father by treating his father as work charge employee.
- (iii) Pass such other order(s)/ directions(s) as may be deemed fit and proper in the bona fide interest of justice”.
4. Learned counsel for the Petitioner submitted that the claim of the Petitioner for his appointment under

Rehabilitation Assistance Scheme was forwarded to the Opposite Party No.2 vide letter dated 28.10.2013 under Annexure-5. Since no decision was taken on such claim of the Petitioner, the present Writ Petition has been filed.

5. Mr. Das, learned counsel for the Petitioner further submitted that similar prayer made by one Kalpana Aich in O.A. No.4619(C) / 2011 was allowed by the learned Tribunal vide its order dated 30.07.2015.

6. It is also submitted that the said order passed by the learned Tribunal has been implemented by the Opposite Parties with the issuance of the order of appointment vide order dated 15.09.2016 of the Executive Engineer, Anandapur Barrage Project, Salapada, Keonjhar. The said order produced by Mr. Das in Court in shape of an affidavit be kept on record.

7. In view of such stand taken by the learned counsel for the Petitioner and in view of the fact that no counter affidavit has been filed, even though notice has been issued since 26.06.2016, this Court directs the Opposite Party No.2 to consider the claim of the Petitioner in the light of the order passed in O.A. No.4619(C) / 2011 and take a decision on the same within a period of two months from the date of receipt of this order.

8. With the aforesaid observations and directions, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge