

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30678 of 2022

Subasini Rana

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

02.12.2022

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. M.C. Mishra, learned counsel for the Petitioner and Mr. A.P. Das, learned Addl. Standing Counsel appearing for the Opp. Parties.
3. The present writ petition has been filed inter alia with the following prayer:-

“It is therefore, humbly prayed that your lordships be pleased to consider the facts stated in the writ petition, admit the same, and kindly give direction to the Opp. Party No.3 for releasing the death compensation (Ex-gratia Assistance) Vide.UD.FIR No.686/2015 dated.07.05.2015 in Managalabag Police Station, in favour of petitioner, wife of deceased in this writ petition and, or pass an appropriate order.

And pass such other order / orders as the Hon'ble Court be deemed fit and proper.

And for this act of kindness the Petitioner shall as in duty bound ever pray.”

4. It is contended that the claim of the Petitioner to get the compensation even though was forwarded to the Collector, Khurda vide Annexure-5 on 29.06.2021, but till date O.P. No. 3 is not

taking any action on the same. It is also contended that as per the order issued by the Revenue and Disaster Management Department on 01.06.2015 the Petitioner is otherwise eligible to get the benefit of compensation.

5. Having heard learned counsel for the Parties and in view of the fact that the matter is pending before O.P. No. 3 on being forwarded vide Annexure-5, this Court while disposing the writ petition directs the Opp. Party to take a lawful decision on the same within a period of two (2) months from the date of receipt of this order. On such consideration the Petitioner is able to get the ex gratia compensation, then the amount as due and admissible be also released in her favour within the aforesaid time period.

6. The writ petition is disposed of with the aforesaid observation and direction.

Sneha

(Biraja Prasanna Satapathy)
Judge

