

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.6972 OF 2021

Mina Dandasena & another **Petitioners**

Mr. P.K. Mohapatra, Advocate

-versus-

Rajendra Kumar Patnaik, **Opp.parties**
OAS & another

Mr.L. Samantaray, AGA

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S.SAHOO

ORDER (Oral)
15.11.2022

Order No.

Hybrid Mode

3. 1. The petitioners by filing the contempt petition alleges non-compliance of the order dated 15.07.2021 passed by this Court disposing of W.P.(C) No.14563 of 2021. By the said order, this Court had directed as follows:

“Nevertheless, it appears that there is a representation dated 13th January,2021 filed by the petitioners, which is pending before opposite party no.2. Accordingly, a direction is issued to opposite party no.2 to dispose of such representation in accordance with law after giving a hearing to the petitioners and a reasoned order be passed thereon, not later than 20th September,2021 and a copy thereof be communicated to them not later than 27th September,2021. If aggrieved by such order, it would be open to the petitioners to seek appropriate remedies in accordance with law.”

2. Compliance affidavit has been filed by opposite party no.1- Director (Rehabilitation & Resettlement) & Ex-Officio Additional Secretary to Government, Department of Water Resources, Government of Odisha, *inter alia* stating the parents of the petitioner no.1- Mina Dandasena and petitioner no.2-Lilambar Dandasena, namely, Sri Narahari Dandasena and Smt. Budu Dandsena and they were heard in the proceeding, pursuant to the direction of this Court.

3. In the compliance affidavit at paras-10 and 11 dated 03.11.2022, it has been stated as follows :

“10. That, as per the Aadhar Card the Date of Birth of the petitioner no.1-Mina Dandsena is dated 01.01.2001 and the Date of Birth of the petitioner no.2-Lilambar Dandsena is dated 16.10.2009 respectively. Hence, both of the petitioners are born after the cutoff dated 14.07.2000 i.e., Date of Notification U/s 4(1) of the L.A. Act, 1894 for village-Kireikela. Furthermore, the Disability Certificate submitted by the petitioners are issued by the concerned medical authority after the cutoff date 14.07.2000. Hence, the claim of the petitioners for Rehabilitation and Resettlement Assistance under the Odisha R & R Policy 2006 is not maintainable as per law and liable to be rejected.

11. That, the petitioners have been intimated regarding disposal and rejection of their applications vide this office letter no.1179 dated 30.07.2022. Copy of the letter no.1179 dated 30.07.2022 is attached herewith and marked as Annexure-H.”

4. In view of the above, in our considered opinion of this Court, the order dated 15.07.2021 passed by this Court in W.P.(C) No.14563 of 2021 has since been complied with, accordingly, the contempt petition is dismissed.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

November 15th 2022
Cuttack

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