

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 32864 of 2022

*Pramodini Mohapatra*

.....

*Petitioner*

*Mr. S. K. Bhanjadeo, Advocate*

Vs.

*State of Odisha and others*

.....

*Opposite Parties*

*State Counsel*

**CORAM:**

**DR. JUSTICE B.R. SARANGI**

**ORDER**

**09.12.2022**

**Order No.**

01.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking to quash the order dated 25.11.2022 under Annexure-6 and issue direction to the opposite parties to appoint him under the rehabilitation assistance scheme, as per OCS (RA) Rules, 1990 and to grant all consequential service and financial benefits within a stipulated time.

4. Learned counsel for the petitioner contended that the case of the petitioner is covered by the judgment of this Court in the case of ***Kshirabadi Bala Behera v. State of Odisha***, (W.P.(C) No. 14945 of 2015), which has been relied in the case of ***Basanti Nayak v State of Orissa*** (W.P.(C) No. 2669 of 2008 so far as entitlement of married daughter to get the appointment under rehabilitation assistance scheme is concerned and her case is also covered by the judgment of the apex Court in the case of ***Malaya Nanda Sethy v. State of Orissa***, Civil Appeal No. 4103 of 2022 disposed of on 20.05.2022 so far as applicability of old rule to the case of the petitioner. Therefore, this writ petition may be disposed of in the light of the aforesaid orders/judgments, to which learned State Counsel has raised no objection.

5. In the above view of the matter, the order dated 25.11.2022 passed by the authority under Annexure-6 is hereby quashed. The opposite parties are directed to consider the case of the petitioner in the light of the

judgments passed by this Court in the case of ***Kshirabadi Bala Behera*** and ***Basanti Nayak*** (supra) and also of the apex Court in the case of ***Malaya Nanda Sethy*** (supra) and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy of this order.

Issue urgent certified copy as per rules.

*Arun*

**(DR. B.R. SARANGI, J.)**

