

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.40102 of 2021
(Through hybrid mode)

Nandini Malik

....

Petitioner

Mr. A.K.Behera, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C.Panda, Addl. Govt. Advocate

CORAM: JUSTICE ARINDAM SINHA

ORDER
23.02.2022

Order No.

02.

1. Mr. Behera, learned advocate appears on behalf of petitioner and refers to order dated 7th February, 2022 to submit, State was to give instructions.

2. Text of order dated 7th February, 2022 is reproduced below.

“1. Mr. Tripathy, learned advocate appears on behalf of petitioner and submits, his client’s grievance is nonpayment of compensation under clause (ii) in entry 44 and entry 45 of annexure-1 in the schedule to Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

2. Mr. Tripathy, learned advocate, Additional Standing Counsel appears on behalf of State and prays for adjournment to obtain instructions.

3. List on 16th February, 2022.”

3. Mr. Panda, learned advocate, Additional Govt. Advocate appears on behalf of State and submits, entire compensation of Rs.8,25,000/- is payable. He submits, Court require petitioner to approach the Collector (opposite party no.2) with declaration regarding entitlement to claim. Mr. Behera responds, it is duty of State to disburse the compensation to his client, who is mother of the victim.

4. On query from Court, Mr. Behera submits, his client as mother was informant. His client along with her husband will jointly swear an affidavit declaring their entitlement to claim the compensation.

5. Opposite party no.2 is directed to receive the declaration affidavit from petitioner and her husband and within two weeks therefrom disburse compensation to them.

6. The writ petition is disposed of.

(Arindam Sinha)
Judge

RKS