
(2022) 09 OHC CK 0072
In the Orissa High Court
Case No : Writ Petition (C) No.8302 Of 2022

Dambaru Behera

APPELLANT

Vs

State Of Odisha Others

RESPONDENT

Date of Decision : 12-09-2022

Acts Referred:

Citation : (2022) 09 OHC CK 0072

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : P. K. Mishra, P. C. Behera

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Mishra, learned advocate appears on behalf of petitioner and submits, his client's father died in a hit and run case. His client had applied for compensation from Solatium Fund of Odisha. By impugned letter dated 4th March, 2022, Regional Transport Officer (RTO) returned the application and documents, as received beyond permissible period. He submits, by reason of the pandemic the application was delayed. Mr. Mishra submits, he will serve learned advocate engaged on behalf of opposite party no.4.

2. Mr. Behera, learned advocate, Standing Counsel appears for the department and points out, there was notification dated 14th May, 2018, published in Odisha Gazette Extraordinary, pursuant to direction made by the Supreme Court in a judgment. Under clause III, regarding procedure for claiming compensation from solatium fund, there is requirement for the application to be made within six months from date of accident.

3. On query from Court he submits, the guidelines do not provide for condonation of delay. However, in event there is direction, his client will consider the claim.

4. Impugned order dated 4th March, 2022 is set aside and quashed. Petitioner will approach opposite party no.4 with copy of this order and the solatium fund application. Said opposite party is directed to consider and deal with the application and inform petitioners the result, within four weeks of approach.

5. The writ petition is disposed of.

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