
(2000) 09 OHC CK 0038
In the Orissa High Court
Case No : O.J.C. No. 4531 of 2000

Sri Krushna Chandra Panda and Others	APPELLANT
Vs	
State of Orissa and Others	RESPONDENT

Date of Decision : 15-09-2000

Acts Referred:

Constitution of India, 1950 — Article 226, 227

Citation : (2000) 2 OLR 437

Hon'ble Judges : P. Ray, J

Bench : Single Bench

Advocate : P.K. Jena, N. Panda and P.C. Muduli, for the Appellant; M.K. Mohanty, Additional Government Advocate, for the Respondent

Judgement

P. Ray, J.—The petitioners have filed this writ petition as the concerned authorities are not entertaining their claim for ex gratia payment on account of death of near and dear ones on the ground that those deceased persons did not die on the dates of super cyclone. It has already been held in OJC No. 4168 of 2000 (*DipaIi Mandal v. State of Orissa and Ors.) that if it is established that a person was seriously injured in the super cyclone and succumbed to the said injury subsequently there is no justification to refuse to pay the ex gratia financial assistance announced by the State Govt. for persons who died in the super cyclone.

2. In the circumstances, this writ application is disposed of by directing the opp. party No. 3, the Collector, Jagatsinghpur or the Addl. District Magistrate, Jagatsinghpur to cause necessary enquiry into the claims of the opp. parties and to find out whether the deceased persons were injured in the Cyclone and died due to said injury. In case it is found that a particular person was injured in the super cyclone and subsequently died due to said injury, the concerned authorities will release the financial assistance under ex gratia financial assistance as announced by the State Government. Such enquiry should be held and completed as expeditiously as possible, preferably within six weeks from the date

of production of certified copy of this order.

3. Urgent certified copy be given on proper application.