

(2023) 03 OHC CK 0147

In the Orissa High Court

Case No : Writ Appeal No. 1580 Of 2022

State Of Odisha And Others

APPELLANT

Vs

Pitambar Rout

RESPONDENT

Date of Decision : 22-03-2023

Acts Referred:

Citation : (2023) 03 OHC CK 0147

Hon'ble Judges : Dr. S. Muralidhar, CJ;G. Satapathy, J

Bench : Division Bench

Advocate : Debakanta Mohanty

Final Decision : Dismissed

Judgement

1. The challenge in the present writ appeal is to an order dated 7th September, 2022 passed by the learned Single Judge allowing W.P.(C) No.39234 of 2021 filed by the Respondent challenging the denial of an award of compensation to him as a result of his house being demolished in the 'FANI' super cyclone.
2. The denial of the relief to the Respondent by removing his name from the list of beneficiaries was purportedly based on an enquiry report.
3. As noted by the learned Single Judge the witnesses who spoke during the enquiry, later swore to affidavits saying that they had not signed the enquiry report. It appeared therefore that the report was not supported by any independent evidence but only by the self-serving statement of the Revenue Inspector about the Respondent having a pucca house.
4. Since the very basis of the report was doubtful, the learned Single Judge rightly directed that the State should compensate the Respondent for the damage to his house during the super cyclone.
5. Having heard Mr. Debakanta Mohanty, learned Additional Government Advocate for the Appellant, the Court is not satisfied that any ground has been made out for interference with the impugned order of the learned Single Judge.

6. The writ appeal is accordingly dismissed.

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