

ITEM NO.43

COURT NO.1

SECTION PIL

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 404 OF 2008

ARCHBISHOP RAPHAEL CHEENATH S.V.D.

Petitioner(s)

VERSUS

STATE OF ORISSA &amp; ANR.

Respondent(s)

(With appln(s) for directions,impleadment and office report )

WITH SLP(C) NO. 5724 of 2009

(With appln.(s) for permission to place addl.documents on record and with prayer interim relief and office report)

W.P(C) NO. 76 of 2009

(With appln.(s)for interim directions and office report)

Date: 13/04/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE P. SATHASIVAM

For Petitioner(s) Mr.Colin Gonsalvers, Sr.Adv.  
Mr.Vipin M.Benjamin, Adv.  
Ms.Jyoti Mendiratta,Adv.  
Mr.Jai Singh, Adv.

Mr.Prashant Bhushan, Adv.  
Ms. Aparna Bhat,Adv.  
Mr.P.Ramesh Kumar, Adv.  
Mr.Rohit Kumar, Adv.

Mr. Romy Chacko,Adv.

For Respondent(s) Mr.K.K.Venugopal, Sr.Adv.  
Mr. Janaranjan Das,Adv.  
Mr.Swetaketu Mishra Adv.  
Mr.P.P.Nayak, Adv.  
Mr.Gopal Sankaranarayanan, Adv.

Mr.Gopal Subramanium, ASG  
Mr.Devansh A.Mohta, Adv.  
Mr.P.K.Dey, Adv.  
For Mr.B.K.Prasad, Adv.  
Mr.S.N.Terdal, Adv.

2

Ms. Sushma Suri ,Adv

Applicant Mr.P.S.Narasimha, Sr.Adv.  
Mr.Merusagar Samantaray, Adv.  
Mr.Vikromjit Banerjee, Adv.  
Mr.Debasis Panda,Adv.  
Mr.S.S.Shamshery, Adv.

UPON hearing counsel the Court made the following  
ORDER

Heard learned counsel for the petitioners.

It is alleged by the petitioner that large number of houses were either destroyed or partially damaged and in some cases compensation has been given to the owners of these houses. It is also alleged by the petitioners that nearly 183 churches have been partially damaged and compensations have been paid only in respect of five churches. The petitioners also states that about 93 persons have died in the various incidents but, according to an estimate of the State, only 32 persons have died and the compensations have not been given to the dependents of these persons, who died. The petitioners also allege that large scale unemployed person are waiting for the work under the NREGA scheme and the cards are not provided to them. It is also alleged that so many persons have lost their ration cards and they required fresh ration cards to get the articles under the public supply system. The petitioners have given some details i.e. name, village and other details regarding the individuals.

Learned counsel appearing for the State of Orissa seeks time to inquire into the details of these facts given by the petitioners and the learned  
3  
counsel seeks time to furnish the details regarding the steps already taken by it. It is stated that a committee has also been constituted to give relief to the

4  
affected persons. The correctness of these details would be enquired into by the State and a detailed report be furnished to this Court within a period of four weeks. It is also submitted that the State is taking steps to see that all the persons who are in the relief camps exercise their franchise in the ensuing general election and steps are being taken to take them to the polling booths on the date of polling under the protection of the police. Learned Addl.Solicitor General of India submits that a sum of Rs.3 lac each is proposed to be given to the dependents of the persons who have died and as soon as the details are available from the State the amount would be made available to the State.

In the meanwhile, the relief works, which are already in progress, may be continued.

List in the week commencing 11th May, 2009.

(G.V.Ramana)  
Court Master

(Veera Verma)  
Court Master