

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 1069 of 2022

Basanta Kumar Bishi & Ors.

Petitioners

Mr. K. Swain, Advocate

-Versus -

State of Odisha & Ors.

Opp. Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

28.11.2022

Order No.

04

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.
3. The petitioners have filed this writ petition seeking direction to the opposite parties to count their past services rendered under Non Formal Education Scheme, EGS & AIE Scheme prior to 01.01.2005 for the purpose of bringing them under the coverage of Odisha Civil Service (Pension) Rules, 1992 so that they can avail the benefit of G.P.F. under the G.P.F.(O) Rules, 1938 as their initial engagement was prior to the cutoff date 01.01.2005 although their services were regularized after 01.01.2005 keeping in view the ratio decided by the apex Court in ***Parmeshwar Nanda and Others v. State of Jharkhand & Ors.*** (Civil Appeal Nos.505-531 of 2020 arising out of S.L.P (Civil) Nos.27922-27948 of 2017 disposed of on 07.02.2020) and ***State of Himachal Pradesh v. Joga Singh*** (SLP(C) No.183 of 2016 dismissed on 04.01.2016 and

subsequently Review Petition No.274 of 2017 dismissed on 02.03.2017) within a stipulated period.

4. In course of hearing, learned counsel for the petitioners states that highlighting the grievances, the petitioners have made representation to opposite party no.1 vide Annexure-6 and the same may be directed to be considered and disposed of within a stipulated time, to which learned State Counsel raised no objection.

5. As agreed to by learned counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing opposite party no.1 to take a decision on the representation filed by the petitioners vide Annexure-6 and pass appropriate order in accordance with law, within a period of three months from the date of production of certified copy of this order by the petitioner.

6. Issue urgent certified copy as per rules.

(Dr. B.R. Sarangi)
Judge

Alok

