

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 1984 of 2022

Suravi Sahu

.....

Petitioner

Mr. Kaushik Swain, Advocate

- Versus -

State of Odisha & Ors.

.....

Opp. Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

27.01.2022

Order No.

01

This matter is taken up through video conferencing mode.

2. Heard Mr. K. Swain, learned counsel for the petitioner and learned Standing Counsel for School & Mass Education Department.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to allow the petitioner to avail the benefit of GPF under the old Rules so also to make a further declaration that the petitioner is covered by the Orissa Civil Services (Pension) Rules, 1992 prior to its amendment by taking into account initial date of appointment of the petitioner keeping in view the decisions held by the Punjab and Haryana High Court in *Harbans Lal v. The State of Punjab and Ors.*, (CWP No. 2371 of 2010 decided on 31.08.2010), which has been upheld by the apex Court in SLP(C) No.23578 of 2012 [SLP(C) CC No.17901 of 2011] disposed of on 30.07.2012 (*State of Punjab and Ors. Vs. Harbans Lal*), and also in the case of *Jeewan Lata v. State of Punjab and others* (CWP No. 10238 of 2017 (O&M) decided on 10.05.2019) with all

consequential benefits.

4. In course of hearing, learned counsel for the petitioner states that highlighting the grievance, the petitioner has made a representation to the opposite party no.1 vide Annexure-4, but no decision has yet been taken.

5. Considering the limited grievance of the petitioner, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing the opposite party no.1 to take a decision on the representation filed by the petitioner vide Annexure-4 and pass appropriate order in accordance with law within a period of three months from the date of production of certified/ authenticated copy this order by the petitioner.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No. 4798 dated 15th April, 2021 and Court's office order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.