

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 4244 of 2022

Bhagirathi Mallick

.....

Petitioner

Mr. K. Swain, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

11.02.2022

Order No.

01

This matter is taken up by hybrid mode.

2. The petitioner has filed this writ petition seeking direction to the opposite parties to admit the petitioner in the old pension scheme 1992 Rules and readmit the petitioner in the GPF Scheme forthwith, as it has been allowed to similarly situated employees as per the ratio decided in the case of *Anand Dash v. State of Odisha*, 2014 ILR-CUT-459, which has been upheld by the apex Court in SLP Nos. 35462-35464 of 2014, decided on 09.03.2018 and also keeping in view the order passed by the Odisha Administrative Tribunal in the case of *Sabita Mohapatra* (O.A. No. 2501 of 2013, disposed of on 29.09.2014) with all consequential benefits within a stipulated time.

3. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to file a fresh representation before the opposite party no.1, which may be considered within a stipulated time, to which learned State Counsel has raised no objection.

4. As agreed by learned counsel for the parteis, this Court disposes of the writ petition granting liberty to the petitioner

to file a fresh representation before the opposite party no.1 ventilating the grievance within a period of two weeks hence. If such representation is filed, the same shall be considered and disposed of by the opposite party no.1 in accordance with law within a period of three months thereafter keeping in view the judgments in *Anand Dash* and *Sabita Mohapatra* mentioned supra.

Issue urgent certified copy as per rules.

Alok

(Dr. B.R. Sarangi)
Judge

