

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 4803 of 2022

Usharani Das

.....

Petitioner

Mr. P.C. Jena, Advocate

Vs.

Union of India and others

.....

Opposite parties

ASGI

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

23.02.2022

Order No.

01

This matter is taken up through hybrid mode.

2. Heard Mr. P.C. Jena, learned counsel for the petitioner and Mr. P.K. Parhi, learned ASGI.

3. The petitioner has filed this writ petition seeking for grant of family pension in her favour on the ground that since her husband joined the duty on 16.04.1971 and discharged from service on 19.05.1977, she is entitled to get the family pension.

4. Mr. P.K. Parhi, learned ASGI appearing for the opposite parties contended that the husband of the petitioner was not having the required number of years, i.e. at least ten years to get the minimum pension and as such the petitioner is not entitled to get the family pension. More so, the writ petition also suffers from delay and laches.

5. Having heard learned counsel for the parties and after going through the record, since the husband petitioner has not rendered the minimum qualifying period of service, i.e. 10 years to get the pension, therefore, the question of grant of family pension to the petitioner does not arise. Otherwise also the petition suffers from delay and laches.

6. In view of the above, the prayer made in this writ petition merits no consideration and as such the same stands dismissed.

Arun

(DR. B.R. SARANGI, J)