

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 4899 of 2022

Mahendranath Sahu

.....

Petitioner

Mr. P.K. Mohapatra, Advocate

- Versus -

State of Odisha & Ors.

.....

Opp. Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

18.02.2022

Order No.
01

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to submit pension papers for sanction of pension and pensionary benefits including gratuity and unutilized leave salary in favour of the petitioner under the Orissa Civil Services (Pension) Rules, 1992 in the light of the benefit given to similar persons vide Annexure-6 on the basis of his regular service as Khalasi from 31.12.1999, as has been decided vide order dated 22.02.2011 in O.A. No. 555(C) of 2000, which has been affirmed vide order dated 02.08.2019 in WP(C) No. 22688 of 2011 and order dated 19.05.2020 in SLP(C) Diary No. 5782 of 2020 and his entire service period from 01.11.1989 till 31.12.1999 may be treated as qualifying service for computing the pensionary benefits in the light of the judgment dated 26.08.2020 of the apex Court in Civil Appeal No. 3984 of 2010 and SLP(C) No. 23578 of 2012, with all consequential benefits.

4. In course of hearing, learned counsel for the petitioner states

that highlighting the grievances, the petitioner has made representation to the opposite party no.1 vide Annexure-7 and the same may be directed to be disposed of within a stipulated time, taking into consideration Annexures-4, 5 and 6, to which learned State counsel has 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 the opposite party no.1 to consider the representation filed by the petitioner vide Annexure-7 and pass appropriate order in accordance with law, taking into consideration Annexures-4, 5 and 6, within a period of three months from the date of production of authenticated/certified copy of this order.

6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok

