

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5114 of 2022

Karttik Chandra Nanda

....

Petitioner

Mr. S.K. Purohit, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.04.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State. Perused the record along with documents.
3. The present writ petition has been filed by the petitioner with the following prayer :-

“It is therefore prayed that Your Lordship may be graciously pleased to admit this writ petition, issuing notice on the Ops asking them to show cause as to why the petitioner shall not be paid his pension gratuity and other retiral dues and on hearing the Ops, if they show or no adequate reasons, then direct the Ops to release the due pension and other retiral

benefits within a Scheduled time frame,

And, pass any such other/further orders as Your Lordships deem justify and proper in the aforesaid facts and circumstances of this case.”

4. It is submitted by learned counsel for the Petitioner that although the petitioner has filed representation highlighting his grievances dated 07.04.2021 under Annexure3 before the Opposite Party No.3, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision on the representation of the Petitioner.

5. Further, learned counsel for the petitioner submits that the Opposite Party No.3 may be directed to dispose of the same in the light of the judgment delivered by the Hon’ble Supreme Court of India in the case of ***Lajpat Rai Mehta vs. Secretary to Government of Punjab, Department of Irrigation and Poser, Chandigarh*** : reported in (2009) 3 SCC260 and the decision of this Court in the case of ***Kishori Dash vs. State of Orissa and others*** : reported in 105(2008) CLT, also 2008 1 OLR 344.

6. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the representation of the petitioner in accordance with law made in the aforesaid judgments relied upon by the learned counsel for the petitioner within a stipulated period of time.

7. Considering the aforesaid submissions made by the parties and limited nature of grievance, this Court disposes of the writ petition at the stage of admission with a direction to the petitioner to file a fresh

representation highlighting his grievances along with copies of the judgments and also other relevant documents in support of his claim before the Chief Medical Officer, Bargarh-Opposite Party No.3 within a period of fifteen days from today. In the event such a representation is filed within the aforesaid period, the same shall be considered in accordance with law and the same shall be disposed by passing a speaking and reasoned order within a period of two months from the date of filing of fresh representation. Any decision taken on the same shall be communicated to the Petitioner within a period of ten days thereafter.

7. It is made clear that in the event the authorities come to a conclusion that the Petitioner is eligible, the case of the Petitioner shall be considered as expeditiously as possible within the stipulated time by this Court.

8. With the aforesaid observation/direction, the writ petition stands disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge