

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5554 of 2022

Sunita Tandi

....

Petitioner

Mr. S.K. Nath, Advocate

-versus-

State of Odisha and another

....

Opposite Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

09.03.2022

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.

3. The present writ petition has been filed by the Petitioner with the following prayer:-

- a) Direct the opp. Parties to grant/sanction the retrial benefits of the petitioner's Late husband and final family pension instead of provisional pension in favour of the petitioner within a stipulated period;
- b) Pass such other order(s), direction(s) as would deem fit and proper;

4. It is submitted by learned counsel for the Petitioner that after retirement from service on attaining the age of superannuation, the husband of the Petitioner has passed away on 30.04.2019. The Petitioner is a widow of the deceased Government employee. Only she is getting provisional pension and the authorities are not finalizing the issues of the government employee. Learned counsel for the Petitioner

further submits that Petitioner has been filed a representation before the Secretary, Government of Odisha, Food Supplies and Consumer Welfare Department, Bhubaneswar-Opposite Party No.1 on 10.11.2021 under Annexure-4 and the said Opposite Party has not considered the grievance of the Petitioner as of now.

5. 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 within a stipulated period of time.

6. Considering the limited nature of grievance and old widow she is getting only provisional pension, this Court disposes of the writ petition with a direction to the Secretary, Government of Odisha, Food Supplies and Consumer Welfare Department, Bhubaneswar-Opposite Party No.1 to consider the representation of the Petitioner dated 10.11.2021 under Annexure-4 in accordance with law within a period of two months from the date of production of certified copy of this order. Further, it is directed to the Accountant General (A&E), Odisha, Bhubaneswar-Opposite Party No.2 to disburse the final pension and other retrial benefits of the late husband of the Petitioner within a month and decide the Petitioner is entitled to get the same in accordance with law. It is needless to mention here that the representation of the Petitioner shall be considered by passing a speaking and reasoned order on the same. Any decision taken on the same shall be communicated to the Petitioner within a period of ten days thereafter.

7. With the aforesaid direction, the writ petition stands disposed of.

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

(A.K. Mohapatra)
Judge