

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 5602 of 2022

Banaja Nayana Behera

....

Petitioner

Mr. S.N. Patnaik, Adv.

-Versus -

State of Odisha and others

....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

03.03.2022

Order No.
01

This matter is taken up through hybrid mode.

2. The petitioner has filed this writ petition seeking direction to the opposite parties to restore the financial benefits in terms of the order dated 26.12.2013 under Annexure-4, by which the petitioner was allowed to enjoy the financial benefit in pursuance of the Finance Department Resolution dated 26.06.2013 under Annexure-3 particularly keeping in view the ratio on identical issue decided by the learned tribunal dated 07.02.2019 under Annexure-8 which was upheld by this Court under Annexure-9.

3. In course of hearing, counsel for the petitioner states that the case of the petitioner has already been recommended by the Chief District Medical Officer & Public Health Officer, Malkangiri to the Director of Nursing, Odisha-opposite party no.3 vide Annexure-11 dated 10.12.2021 and, therefore,

direction may be given to the authority to take a decision on the same within a stipulated time taking into consideration Annexure-9 and 10, to which learned State Counsel has raised no objection.

4. As agreed by learned counsel for the parties, this Court disposes of the writ petition directing opposite party no.3 to take a decision on the recommendation made by the Chief District Medical Officer & Public Health Officer, Malkangiri under Annexure-11 dated 10.12.2021 taking into consideration Annexure-9 and 10, and pass appropriate order in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of receipt of certified copy of this order.

Issue urgent certified copy as per rules.

Alok

(Dr. B.R. Sarangi)
Judge

