

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 5788 of 2022

Kamala Biswal

.....

Petitioner

Mr. R.C. Mishra, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite Parties

Mr. B. Mohanty, SC, S&ME Deptt.

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

01.11.2022

Order No.

8

This matter is taken up through Hybrid mode.

2. Heard Mr. R.C. Mishra, learned counsel appearing for the petitioner and Mr. B. Mohanty, learned Standing Counsel for School and Mass Education Department.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to allow her to get two years pensionary benefits w.e.f. 20.03.1977 to 20.03.1979, enhanced pension @ Rs.300/- per month w.e.f. 05.09.1984 to 29.07.1988 and T.I. with effect from 01.04.1985 to 29.07.1988 on the basis of resolution dated 20.10.1994, resolution dated 11.04.1990 and the judgment of this Court in *Sankareswar Nanda v. State of Orissa*, 1998 (1) OLR 172.

4. Pursuant to notice issued, opposite party no.2 filed counter affidavit, paragraph-9 whereof states as follows:

“9. That, it is humbly submitted that the prayer of the petitioner will be considered at the end of office of the Principal Accountant General (A&E), Odisha,

Bhubaneswar and as per the prevailing rule the enhanced pensionary benefits are credited to the Bank account of the Pensioner/Family Pensioner directly through Government Treasury and this deponent has no role to play”.

5. In view of the statement made in paragraph-9 of the counter affidavit, since the prayer of the petitioner will be considered at the end of the office of the Principal Accountant General (A&E), Odisha, Bhubaneswar, let the petitioner file fresh representation before opposite party no.3 ventilating her grievances within a period of two weeks from today. In the event the petitioner files fresh representation within the time stipulated, opposite party no.3 shall consider the same and pass appropriate order in accordance with law taking into consideration the judgment of this Court in ***Sankareswar Nanda*** (supra) within a period of four months thereafter.

6. With the above observation & direction, the writ petition stands disposed of.

7. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok