

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5945 of 2022

Sukanti Naik

....

Petitioner

Mr. Ashok Das, Advocate

-versus-

Union of India and others

....

Opposite Parties

Mr. P.K.Parhi, ASGI along with

Mr. B.K. Pani, C.G.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.03.2022

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 a prayer to direct the Opposite Party No.3 to release forthwith the pensionary benefit and other outstanding emoluments.
4. It is submitted by learned counsel for the Petitioner that the Petitioner has submitted a representation dated 15.01.2022 before the Senior Divisional Personnel Officer, East-Cost Railway-Opposite Party No.3. He further submits that the said representation is pending before the Opposite Party No.3 but the said Opposite Party has not considered the same as of now.
5. Mr. Parhi, leaned ASGI, appearing for the Opposite Party submits that he has no objection, if a direction is given to the said authorities to consider the representation of the Petitioner within a

stipulated period of time.

6. Considering the submissions made by learned counsel for the parties, limited nature of grievance of the Petitioner, this Court disposes of the writ petition at this stage with a direction to the Senior Divisional Personnel Officer, East-Coast Railway-Opposite Party No.3 to consider the representation of the Petitioner dated 15.01.2022 under Annexure-4 in accordance with law within a period of two months from the date of production of certified copy of this order along with supporting documents. 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 two weeks thereafter.

7. It is open for the petitioner to file a separate application for compassionate appointment to any of the legal heirs.

8. It is further submitted by learned counsel for the petitioner that the Railway authority is going to disburse the amount payable to the deceased employee. Therefore, the Opposite Party No.3 shall do well not to disburse the amount as due and admissible to the deceased employee on the consideration of the representation of the petitioner.

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

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

