

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (C) No.6152 of 2022

Pravakar Bhoi

.... ***Petitioner***
Mr.S.K. Mishra, Advocate

-versus-

State of Orissa and others

.... ***Opposite Parties***
Mr. K.K. Nayak, ASC for State

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 and learned counsel for the State.
3. The Petitioner has filed this writ petition seeking direction to the Opposite Parties to grant pension and pensionary benefits as per the old Rules, i.e. Rule-18(3) of Orissa Civil Service (Pension) Rules, 1992 and G.A. Department Resolution dated 15.05.1995 under Annexure-4.
4. Learned counsel for the Petitioner contended that this question has already been considered by a Division Bench of this Court in W.P.(C) No.19550 of 2011, disposed of on 03.02.2021 (*Chandra Nandi vs. State of Odisha*) and W.P.(C) No.27950 of 2019, disposed of on 03.02.2021 (*Premananda Tripathy vs. State of Odisha*). He contended that since the matter has already been decided by this Court and, as such, the Petitioner having stood in the same footing, nothing remains to be adjudicated by this Court.

Therefore, direction may be given to the Authority to consider the case of the Petitioner in the light of the aforesaid orders.

5. Learned Addl. Government Advocate contended that since this question has already been decided by this Court, direction may be given to the Authority to consider the case of the Petitioner in the light of the aforesaid orders.

6. Considering the contention raised by learned counsel for the Parties and after going through the records, this writ petition stands disposed of directing Opposite Party No.1 to consider the case of the Petitioner for grant of pension and pensionary dues as due and admissible to him, taking into consideration the order dated 03.02.2021 passed by this Court in ***Chandra Nanda and Premananda Tripathy*** mentioned supra, as well as the ratio decided by this Court in ***State of Orissa vs. Jyostna Rani Pattnaik (W.P.(C) No.1534 of 2008, disposed of on 19.12.2016)*** and in the case of ***Narusu Pradhan in SLP No.22498 of 2012*** and pass appropriate order in accordance with law, as expeditiously as possible, preferably within a period of four months from the date of production of the certified copy of this order.

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

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge