

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 11666 of 2015

Ranjan Kumar Tripathy

.....

Petitioner

Mr. S.P. Das, Adv.

Vs.

State of Orissa and others

.....

Opposite Parties

Mr. A.K. Mishra, AGA

Mr. S. Behera, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

12.08.2022

Order No.

10.

This matter is taken up through hybrid mode.

2. In compliance of the order dated 22.07.2022, Mr. A.K. Mishra, learned Addl. Government Advocate received instructions and produced the same in Court today, wherein it has been stated as follows:

“In inviting a kind reference to the letter on the subject cited above, I am to inform you that the un-utilized leave salary in lieu of 300 days Earned Leave in favour of Sri Ranjan Kumar Tripathy, Ex-Production Officer (Retd.), O/O JDA (Information) has been drawn and credited to his personal Saving Account No.11109482649 (SBI Account) on 21.07.2022.

Further, I am to inform you that the pension papers of Sri Ranjan Kumar Tripathy, Ex-Production Officer (Retd.) has already submitted to the A.G. (A&E), Odisha, Bhubaneswar vide letter No.22097 dated 04.07.2022 of Director-cum-Ex-officio, Additional Secretary to Government, A&FE, Department, Odisha (P.S.A.) (copy enclosed) to issue necessary authorization for drawal of pension, commuted value of pension and gratuity in his favour”.

Further, vide Order dated 30.06.2022, it was directed as follows:

“In pursuance of F.D.O., Memo No.55423/F dated 14.11.1986, F.D.O.M. No.27434/F dated 12.04.2001, F.D.O. Memo No. 7493/F dated 26.03.2015 Sri Ranjan Kumar Tripathy, Ex-Production Officer retired, O/o the JDA (Information) is allowed to draw cash equivalent to leave salary in lieu of 300 (Three Hundred) days un-utilized earned leave having at his credit as on the date of his retirement i.e. on 31.01.2022. The amount will be payable in lump sum to Sri Ranjan Kumar Tripathy, Ex-Production Officer retired in one time.

He is allowed to draw D.A. as admissible with leave salary at the rate in force on the date of his retirement.

The charge is debitable to the major head “5-2071 Pension and other retirement benefits-NP-01-Civil-115-leave encashment benefits on retirement/death of Government servant-1020-other-Pensionary benefits-38005-leave salaries encashment on retirement” (05-2071-NP-X-01-115-1020-38005).”

On 04.07.2022, the pension papers of the Petitioner have been forwarded to the Accountant General (A&E), Odisha, Bhubaneswar with the following note:

*“I am to forward herewith the pension papers of Sri Ranjan Kumar Tripathy, Ex-Production Officer (Retd.), O/o Joint Director of Agriculture (Information) for necessary authorization for drawal of Pension/Commuted Value of Pension and Gratuity as per the suggestion given in OCS (Pension) Form-F (Part-I&II).
It is requested that the fact of authorization of pensionary benefits may please be intimated to all concerned including this office.”*

3. Learned counsel for the Petitioner states that since the Petitioner has already retired from service and his pension and pensionary benefits have already been processed and that the same are at the verge of disbursement, the Petitioner does not want to press this Writ Petition.
4. In view of the above submission, this Writ Petition stands disposed of as not pressed.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Ashok/Banita