

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8079 of 2022

Suryansi Sahoo and another ***Petitioners***

Ms. Ankita Mukherji, Advocate
-versus-

State of Odisha and others ***Opposite Parties***

Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

Order No.

ORDER
20.04.2022

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard Ms. Ankita Mukherji, learned counsel for the Petitioners as well as Mr. K.K. Nayak, learned Additional Standing Counsel for the State. Perused the record.
 3. The present writ petition has been filed by the Petitioner with the following prayer:-

“The Petitioner therefore prays that your Lordships would be graciously pleased to admit this writ petition, call for the records and after hearing the parties allow the same, issue writ/ writs in the nature of certiorari/mandamus and/or any other further writ/direction, and issue directions to the Opp. Party No.1 to disburse the benefit amount equally amongst the four legal heirs of Late Dr. Sahoo, as per the legal heir certificate at Annexure-1.

And pass any other relief/reliefs to which the

Petitioners may be found entitled to may be granted.”

4. Learned counsel for the petitioners submits that the Petitioner No.2-Shreeyansh Sahoo, who is a minor daughter, Petitioner No.1-Suryansi Sahoo is aged about 19 years prosecuting her Engineering course at the movement are need of money for their education. On account of death of their father, pensionary benefits have been sanctioned in favour of the Opposite Party No.3-Minati Sahoo, wife of Late Jayaram Sahoo. Further learned counsel for the petitioners submits that the Opposite Party No.3 mental condition is not conducive for leading normal life and she is undergoing continues treatment for her mental disorder. She further submits that the Opposite Party No.3 is frequently going for treatment. However, her condition is deteriorating day-by-day. Under such circumstances, the petitioners, who are young girls apprehending that their future is not safe secure. Accordingly, the petitioners approached the employer of the father of the petitioners by filing representation dated 17.03.2022 It is stated that the same is pending before the Opposite Party Nos.1 and 2 for consideration.

5. Considering the aforesaid submissions, keeping in view the limited nature of grievance involved in the present writ petition, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party Nos.1 and 2 (M/s. ONGC Vidhesh Ltd. and the Chief General Manager (HR), ONGC Videsh Ltd., New Delhi to consider the representation of the Petitioners dated 17.03.2022 under Annexure-10, if any, in accordance with law within a period of six weeks from the date of production of certified copy of this order. Further it is directed that in the event the petitioners satisfy the authority with regard to their claim and produce the medical certificate and the treatment details of Opposite

Party no.3, the authority shall do well to take a decision the distributing pensionary and retiral benefits amount the legal heirs of the deceased employee. It is also directed that till disposal of the representation of the petitioners, pensionary benefits shall not be disbursed in favour of the Opposite Party No.3. It is further made clear that while taking final decision on the representation of the petitioners, it is open for the Opposite Party Nos.1 and 2 to provide an opportunity of personal hearing to the legal heirs of the deceased employee before before taking a final decision in the matter strictly in accordance with the Rules / law in this regard.

Since this order is passed without issuing notice to the Opposite Parties, the aggrieved parties may seek variation of the order.

6. With the aforesaid observation/direction, the writ petition is disposed of.

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

(*A.K. Mohapatra*)
Judge