

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10744 of 2022

Mahammad @ Md. Akhtar

....

Petitioner

Mr. Abhaya Kumar Sharma, Advocate

-versus-

*Odisha Gramya Bank,
KhurdaBhubaneswar*

....

Opposite Party

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

05.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner.
3. The writ petition involves the following prayer:

“The petitioner, therefore, humbly pray that this Hon’ble Court graciously be pleased to issue ‘Rule nisi’ calling upon the Opposite Party to show cause as to why the pension shall not be paid to the Petitioner as per Annexure-9 along with interest @ 14% per annum for the delayed period, if the Opposite Party fails to show cause or show insufficient cause, then the Rule may be made absolute for the ends of justice.

AND

Be further pleased to pass such other appropriate Writ/Writs/order/orders as may be deemed fit and proper in the particular circumstances of the case for the ends of justice

For the act of kindness, the Petitioner shall as in duty bound remain ever pray.”

4. It is submitted by learned counsel for the Petitioner that Petitioner is entitled to pensionary benefit as has been laid down in the Circular under Annexure-5. As the same has not been considered and paid to him, Petitioner has filed a representation before the Opposite Party on 02.03.2022 (Annexure-9). It is stated that the same is still pending for consideration as of now.

5. Learned counsel for the State submits that in the event Opposite Party is directed to consider the representation of the Petitioner dated 02.03.2022 and dispose of the same keeping in view the Regulation under Annexure-5, he would have no objection to the same.

6. Considering the submissions made by learned counsel for the respective parties and keeping in view the limited nature of grievance, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party to consider the representation of the Petitioner dated 02.03.2022 (Annexure-9) within a period of two months from the date of production of certified copy of this order. It is further submitted that while considering the representation of the Petitioner, the Opposite Party shall take into consideration the Odisha Gramya Bank (Employees') Pension Regulations, 2018 under Annexure-5 and shall dispose of the same by passing a speaking and reasoned order. Decision so taken shall be communicated to the Petitioner within a period of two weeks thereafter. In the event it is found that the Petitioner is entitled and covered under the Pension Regulation as per Annexure-5, the Pensionary benefits as due and admissible shall be paid to the Petitioner within a period of two months thereafter.

7. With the aforesaid direction, the writ petition stands disposed of.
8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

U.K.Sahoo

