

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11267 of 2022

Laxmi Pradhan

....

Petitioner

Mr. Surya Narayan Patnaik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C. Das, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

09.05.2022

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 present writ petition has been filed with the following relief:

“It is, therefore, most humbly prayed that this Hon’ble Court may graciously be pleased to admit the writ application, issue rule Nisi calling upon the opposite parties to show cause as to why the prayers made hereunder be not allowed, Upon showing insufficient cause/no cause make the said Rule absolute, issue writ/writs in the nature of –

- I. Writ of mandamus directing the opp. parties particularly opp. party No.1 to issue appropriate direction to the opp. party no.3 to sanction and disburse the entitled insurance amount towards GIS of late Shyamghan Pradhan within the period to be stipulated by this Hon’ble Court.

- II. And/or may pass such other writ/writs, order/orders, direction/directions as this Hon'ble Court may think fit and proper for the ends of justice.

And for this act of kindness, the petitioner as in duty bound shall ever pray."

4. It is submitted by learned counsel for the Petitioner that Petitioner is the mother of the ex-peon Late Shyamaghan Pradhan. He died in harness on 27.06.2021. It is further submitted that Petitioner is eligible to get GIS benefit under the Odisha Group-C and Group-D Posts (Contractual Appointment) Rules, 2013. Accordingly, the Petitioner approached the Competent Authority relying upon the letter dated 13.01.2022 (Annexure-7). Learned counsel for the Petitioner submitted that the A.D.M., Malkangiri wrote a letter to the Under Secretary to Govt. Revenue and Disaster Management Deptt, Odisha, Bhubaneswar, seeking certain clarification regarding sanction of GIS in favour of next of Late Shyamghan Pradhan, Ex-Peon, Tahasil Office, Chitrakonda. It is further submitted that Opposite Party No.1 is not taking any decision on the letter dated 13.01.2022 under Annexure-7. In such view of the matter, learned counsel for the Petitioner prays for a direction to Opposite Party No.1 to take a decision on the letter dated 13.01.2022.

5. Leaned counsel for the State, on the other hand, submits that he has no objection if a direction is given to the Authority to consider the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the Petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party No.1 to take a decision on the letter dated 13.01.2022 under Annexure-7 written by A.D.M., Malkangiri, within a period of six weeks from the date of production of certified copy of order. The decision so taken shall be communicated to the Petitioner as well as to the office of the Collector, Malkangiri within a period of two weeks from taking such decision.

7. With the above direction, the Writ Petition stands disposed of.

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge