

IN THE HIGH COURT OF ORISSA AT CUTACK

W.P.(C) No.12750 of 2022

Durgamadhab Dash

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

Order
No

ORDER
25.7.2022

1. 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Petitioner.
3. The petitioner has filed this writ petition with the following prayer:-

“Direct the Opposite Parties to sanction pension and pensionary benefits including Gratuity and unutilized leave salary in favour of the petitioner under the Orissa Civil Services (Pension) Rules, 1992 in the light of the benefit given to similar persons vide Annexure-5 on the basis of his regular service as Khalasi from 31.12.1999. as has been decided vide order dt. 22.02.2011 in O.A. No. 555(c)/2000, which has been affirmed vide order dated 02.08.2019 in W.P.(C) No.22688/2011 and order dated 19.05.2020 in SLP (C) Diary No.5782/2020 and his entire service period from 10.10.1987 till 31.12.1999 may be treated as qualifying service for computing the pensionary benefits in the light of the decision in the case of Narusu Pradhan, O.A. No.1189(c)/2006, which has been affirmed in W.P.(c) No.5377/2010 vide order dt.19.12.2011 and by the Hon’ble Supreme Court in SLP(c) cc No. 22498/2012 and the State of Punjab vrs. Harbanslal in SLP(c) cc No.23578 of 2012 and judgment dt. 26.08.2020 of the Apex Court in Civil Appeal No. 3984 of 2010; V. Sukumaran vrs. State

of Kerala and others and grant all consequential benefits.”

4. The Petitioner has moved before Opposite Party No.1 seeking redressal of his grievances as made in the representation under Annexure-6 to the Writ Petition.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.1 to take a decision on the above noted representation of the petitioner in accordance with law, within a period of three months from the date of receipt of certified copy of this order and communicate the result thereof to the Petitioner.

6. With the aforesaid observation and direction the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita