

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15816 of 2022

Pramila Sahoo

....

Petitioner

Mr. R. Das Nayak, Advocate

-versus-

Government of Odisha and others

....

Opp. Parties

Mr. B.Pr. Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
 3. The present writ petition has been filed by the petitioner with the following prayers:

“In the above facts and circumstances, the humble petitioner, fervently prays that the Hon’ble Court may graciously be pleased to admit this petition, issue a writ in the nature of mandamus directing the opposite parties to release the death gratuity and family pension along with other consequential benefits like GIS, untutilized leave salary and the accumulated provident fund of her deceased husband within a stipulated period along with interest at the appropriate rate for the delay caused in releasing the aforesaid dues,

Interim order, if prayed for:

The petitioner most humbly further prays that pending final settlement of the aforesaid dues, the Hon’ble court may graciously be pleased to direct the

opposite parties to release the provisional gratuity and provisional family pension in favour of the petitioner within a stipulated period as provided under Rule 76 of the OCS (Pension) Rules since there is inordinate delay and the petitioner is in acute financial hardship. In this regard a separate Misc. Case has been filed.

And/or be further pleased to pass any other order/orders as deemed fit and proper.”

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 05.03.2020 under Annexure-4 series before the Collector, Jajpur & Block Development Officer, Sukinda-Opposite Party No.3, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the Block Development Officer, Sukinda-Opposite Party No.3 to consider the representation of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made, 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 Managing Block Development Officer, Sukinda-Opposite Party No.3 to consider the representation of the petitioner dated 05.03.2020 under Annexure-4 series in accordance with law within a period of two months from the date of production of certified copy of this order. It is needless to mention here that the representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision

so taken on the said representation shall be communicated to the petitioner within a period of two weeks thereafter.

7. 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

Jagabandhu

