

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No.4368 of 2022

Dukhishyam Naik

....

Petitioner

Mr. P.K. Mishra, Advocate

-versus-

***Dr. Mona Sharma, I.A.S. and
others***

....

Opposite

Parties/Contemnors

Mr. P.C. Das, A.S.C.

Mr. S.K. Patra, Advocate for the O.P.

No.5

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.11.2022

Order No.

02.

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.
3. The present contempt application is 2nd journey of the petitioner to this Court and the earlier writ petition bearing W.P.(C) No.37816 of 2021 was disposed of on 02.12.2021.
4. It is submitted by learned counsel for the petitioner that the order passed by this Court in the above noted writ petition have not been complied with. Therefore, the petitioner compelled to approach this Court by filing the CONTC No.1821 of 2022, which was disposed of by granting more time to the opposite parties to comply the direction of this Court. The said order was not complied with and no endorsement was made. Hence the present case.

5. Learned counsel appearing on behalf of the State submits that the case involved in the 3rd RACP.

6. Further, It is submitted by learned counsel for the petitioner that the petitioner is eligible to get 3rd RACP w.e.f. 01.01.2013 by which date the petitioner had completed 30 years of service.

7. It is further submitted by learned counsel for the State that the case of the petitioner is pending before the D.F.O., Sambalpur Forest Division for disbursal of the entire arrear dues, retiral dues of the petitioner. It is further submitted that the RCF has already been forwarded to the office of the Accountant General.

8. Mr. S.K. Patra, learned counsel appearing for the Accountant General submits that no such document/papers have been received regarding pensionary benefits of the petitioner.

9. However, considering the submission of learned counsel for the State, it appears that RACP has already been approved and in so far as the pension, arrear dues, revised grade pay is concerned, it is directed that the opposite party i.e. D.F.O., Sambalpur Division- Opposite Party No.4 is directed to process the pension paper and other claims of the petitioner within a period of four weeks from the date of production of certified copy of this order.

10. Pursuant to the office order No.135/2F/106/2022 dated 8th September, 2022 under Annexure-E/2, once DFO forwards the papers within the stipulated time, the Accountant General-Opposite Party No.5 shall do well to disburse the benefits and financial benefits as due and admissible to the petitioner within a period of six weeks thereafter.

11. With the aforesaid observation/direction, the CONTC stands

disposed of.

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

A free copy of this order be handed to the learned counsel for the State as well as learned counsel for the Accountant General for communication and compliance.

(A.K. Mohapatra)
Judge

Jagabandhu

