

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 16693 of 2022

Ramesh Chandra Nayak Petitioner

-versus-

State of Odisha & Ors. Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
05.08.2022**

Order No

- 03.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Rath, learned counsel for the Petitioner and Mr. A.P. Das, learned ASC appearing for the Opp. Parties.
3. The present writ Petition has been filed by the Petitioner challenging the office order dtd.04.05.2022 under Annexure-4, where in his prayer for releasing the retiral benefits in his favour has been rejected on the ground that against the order passed in Criminal appeal No.150 of 2013, which was disposed of on 17.03.2021, the State may prefer a revision.
4. This Court vide different orders though asked the learned State Counsel to obtain instruction as to why in absence of any further action by the State the retiral benefits of the Petitioner has not been released, it is submitted that the State is proposing to file a revision against the order passed in the aforesaid criminal appeal.

5. Since admittedly no revision has been filed and the appeal has already been disposed of for more than one year, this Court while quashing the impugned order, directs the Opp. Parties to release all the retiral benefits as due and admissible in favour of the Petitioner along with interest @ 6% all through. The amount along with interest be released in favour of the Petitioner within a period of three (3) months from the date of receipt of this Order. O.P. No. 2 is directed to act on the production of the certified copy of this order on behalf of the Petitioner.

6. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

