

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17107 of 2022

Lalita Sethy

....

Petitioner

-versus-

**Principal Accountant General
(A And E), Odisha & Anr.**

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

21.10.2022

Order No

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. A.K. Nayak, learned counsel for the Petitioner and Mr. S.K. Patra, learned counsel appearing for the O.P. No. 1.

3. It is submitted that the Petitioner though is otherwise eligible to get the benefit of family pension, but the same was not sanctioned on the ground that the Petitioner since has received excess pension amount of Rs.21,500/- (Rs. Twenty one thousand five hundred), unless and until she refund the same, her claim cannot be considered.

4. An affidavit has been filed by the Petitioner, wherein she has stated that on sanction of the family pension the said excess amount of Rs.21,500/- (Rs. Twenty one thousand five hundred) be deducted from her entitlement.

5. In view of such stand taken by the Petitioner in her affidavit, this Court while disposing the writ Petition directs the O.P. No. 1 to consider and take a decision with regard to the sanction of family

pension in favour of the Petitioner within a period of two (2) months from the date of receipt of this order.

6. It is, however, observed that an amount of Rs.21,500/- (Rs. Twenty one thousand five hundred) be deducted from the arrear family pension of the Petitioner and the balance amount as due and admissible be released along with the current pension on such sanction within the aforesaid time period.

7. The writ Petition is disposed of with the aforesaid observation and direction.

Sneha



(Biraja Prasanna Satapathy)
Judge