

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 15209 of 2018

Rajia Nayak and others

.....

Petitioners

Mr. B. Mohanty, Advocate

Vs.

***Steel Authority of India Ltd.
and others***

.....

Opposite Parties

Ms. S. Moharana, Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE SANJAY KUMAR MISHRA

ORDER

28.07.2022

Order No.

15.

I.A. No. 8677 of 2022

This matter is taken up through hybrid mode.

2. Heard Mr. B. Mohanty, learned Counsel for the Petitioner and Ms. S. Moharana, learned Counsel for Opposite Parties.

3. This I.A. has been filed for modification of the judgment dated 21.06.2022 passed in the Writ Petition, with a prayer to direct the opposite parties for refund of the residual amount of Rs.1,15,672/- with appropriate interest from the date of death of the deceased employee, i.e. from 18.11.2004 and to direct for family benefit and pension from the date of death of the deceased employee.

4. As it appears, the Civil Judge (Senior Division), Kendrapara while issuing Succession Certificate on 04.12.2008 at clause (c) directed as follows:-

(c) The amount payable to the deceased employee

towards EFVBVS, LCS and towards SESBF shall be paid to the present petitioners jointly amounting total amount of Rs.1,15,672/-.

This Court in the judgment dated 21.06.2022 has modified the order dated 07.10.2016 passed by the Central Administrative Tribunal, Cuttack Bench, Cuttack, in T.A. No. 31 of 2015. Since the Succession Certificate was issued basing on the compromise between the parties before the Civil Judge, Senior Division, Kendrapara on 04.12.2018 and stipulating the aforesaid clause, this Court do not think any further clarification/modification of the order of the judgment is required. The said order of the Civil Judge, Senior Division, Kendrapra has to be complied with.

5. The I.A. stands disposed of accordingly.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Arun