

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C No.17864 of 2022

Surandra Kumar Das

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

21.7.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for both the parties.

3. The petitioner has filed this writ petition seeking direction to the Opposite Parties to modify the office order dated 01.07.2020 issued by the Finance Department under Annexure-2 by clarifying para-4 and further seeks direction to take prompt action to release final pension in favour of the petitioner in terms of the judgment of this Court in the case of **Biharilal Barik vs. State of Odisha (W.P.(C) No.2831 of 2016** disposed of on **27.06.2017**), which has been confirmed by the Apex Court in Diary No.20358 of 2017 decided on 23.08.2017.

4. Learned State counsel contended that since steps have already been taken, let the Collector, Khurda, Opposite Party No.4 be directed to forward the same to the Accounts Officer of the office of the Accountant General (A & E) Odisha, Bhubaneswar for taking necessary steps for payment of pension to the petitioner.

5. Considering the contentions raised by the learned counsel for the parties, this Court directs the Collector, Khurda, Opposite Party No.4 to resubmit the pension paper of the petitioner along with necessary documents to the Senior Accounts Officer of the office of the Accountant General (A & E) Odisha, Bhubaneswar enabling him to get his pensionary benefits. On receipt of the same the Senior Accounts Officer of the office of the Accountant General (A & E) Odisha, Bhubaneswar, while considering the case of the petitioner, shall take into consideration the judgment of this Court in Biharilal Barik (supra). The entire exercise shall be done within a period of four months from the date of communication of this order.

6. With the above observation and direction, the writ petition stands disposed of.

7. Issue urgent certified copy as per rules.

(Biraja Prasanna Satapathy)
Judge

Subrat