

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 19099 of 2022

Pravakar Sahu

.....

Petitioner

Mr. J. Gupta, Advocate,

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. B. Mohanty, SC, S&ME Deptt

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

09.11.2022

Order No.

03.

This matter is taken up through hybrid mode.

2. Heard.

3. The Petitioner has filed this Writ Petition seeking direction to opposite parties to take appropriate steps for availing un-utilized surrender leave and gratuity of 16 ½ months pay instead of 7 ½ months pay (Pensionary benefits) to the petitioner who is retired employees of the fully Aided Educational Institutions as like as employees of Government Educational institution on the basis Rule 9 of the 1974 Rules taking into consideration the equal superannuation age of two categories employees and to disburse the rest of the gratuity as well as Unutilized surrender leave dues by modifying the office order dated 28.02.2022 of Controller of Accounts and the Resolution dated 22.03.2018 of S&ME Department vide Annexures-3 and 4.

4. In course of hearing, learned counsel for the Petitioner states that highlighting the grievances, the Petitioner has made a representation to Opposite Party No.2 vide Annexure-5 and the same may be directed to be considered within a stipulated time, to which learned Counsel for the State has no objection.

5. As agreed to by learned Counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition

directing Opposite Party No.2 to consider the representation filed by the Petitioner vide Annexure-5, and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy this order.

6. Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI, J.)

