

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 19857 of 2022

Deepanjali Acharya

....

Petitioner

-versus-

**Superintending Engineer,
Balasore Irrigation Division &
Ors.**

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

**ORDER
24.08.2022**

Order No

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. G.C. Mohanty, learned counsel for the Petitioner and learned counsel appearing for the Opp. Parties.
3. On the oral prayer made by Mr. Mohanty, he is permitted to implead the State as O.P. No. 4.
4. The Petitioner is aggrieved by the communication issued by O.P. No. 1 on 12.05.2022 in returning back the documents submitted by the Petitioner for sanction of family pension and other retiral benefits as due her husband late Banabihari Acharya.
5. It is submitted that on the death of the first wife on 17.04.2012 the late employee married the Petitioner on 12.04.2016 under Annexure-2. Subsequently the said employee died on 12.07.2016. Since the marriage has admittedly taken place after the death of the first wife, there is no legal impediment in accepting the document

so submitted by the Petitioner for sanction of family pension and other retiral benefits as due to the deceased employee.

6. In view of that O.P. No. 1 is directed to accept the document so submitted by the Petitioner and take appropriate steps for sanction of family pension and other retiral benefits as due to the deceased employee. The Petitioner is directed to approach O.P. No.1 within a period of two (2) weeks from today along with all the relevant documents.

7. It is observed that on such appearance of the Petitioner, O.P. No. 1 shall accept the documents and take appropriate steps for sanction of family pension and all retiral benefits in favour of the Petitioner. The entire exercise shall be completed within a period of four (4) months from the date of receipt of this order.

8. The writ Petition is disposed of with the aforesaid observation and directions.

(Biraja Prasanna Satapathy)
Judge

Sneha