

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22696 of 2022

Prabir Kumar Brahma

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

29.09.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“On the aforesaid facts and circumstances, it is therefore, prayed that, this Hon'ble Court may graciously be pleased to:

(i) direct/order that, the Opposite Parties shall treated the leave period of the Petitioner as duty period and release the Pension and other post-retirement benefits of the Petitioner with immediate effect under such terms and conditions as the Petitioner has been retired from his service w.e.f. 30.04.2013;

And pass such other order/orders as may be deemed fit and proper in the interest of justice;

And for which act of kindness, the Petitioner as in duty bound ever pray.”

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh

representation before Opp. Party No.2 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opp. Party No.2 shall do well to take a lawful decision on the same within a period of three months from the date of receipt of such representation. The order so passed by the Opp. Party No.2 be communicated to the petitioner.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

Sneha

(Biraja Prasanna Satapathy)
Judge

