

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23063 of 2022

Pramukha Bishi

....

Petitioner

-versus-

Principal SECY. to Govt. of
Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.09.2022

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:-

“Under the aforesaid circumstances morefully narrated herein above the petitioner most humbly prays that this Hon'ble Court may graciously be pleased to admit the writ petition and issue Rule "NISI" calling upon the Opp. Parties to show-cause as to why the Opp. Parties will not be directed to grant minimum pension to the petitioner by adding so much period of service from G.P. secretary service with his regular service as V.L.W. and release the pension and pensionary benefits along with all consequential service benefits in favour of the petitioner in terms of O.C.S. (Pension) Rule 1992 in view of the ratio decided in judgment dated 17.02.2016 passed in O.A.No.4394(c) of 2010 & batch of cases same is uphold by this Hon'ble Court in W.P.(C) No.6267/2018 vide judgment dated 30.08.2018 and the Hon'ble Apex Court in SLP(C) No.28065/2019 vide order dated 18.05.2022.

If the Opp. Parties fail to show-cause or show insufficient cause, the Rule may be made absolute;

And pass any other order(s)/direction(s) as would deem fit and proper under the facts and circumstances of the case;

And for this act of kindness, the petitioner shall as in duty bound ever pray.”

4. Learned counsel for the Petitioner further submits that through highlighting his grievances, the Petitioner has filed an application at Annexure-7 to the Writ Petition before the O.P. No.1, but till date nothing has been done in the matter. In such background, learned counsel for the Petitioner prays that a direction be issued to Opposite Party No.1 to take a decision on the above noted Petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.1 to take a decision on the above noted petition taking into account the order passed under Annexure-4, which is confirmed by this Court under Annexure-5 and by the Hon'ble Apex Court under Annexure-6 within a period of three (3) months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

6. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha