

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24530 of 2022

Amarendra Nayak

....

Petitioner

Mr. P.K. Mohapatra, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. N.K. Praharaj, AGA

**CORAM:
JUSTICE A.K. MOHAPATRA**

**ORDER
29.11.2022**

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner and learned Additional Government Advocate appearing for the State-Opposite Parties. Perused the record.
 3. This writ petition has been filed by the Petitioner seeking a direction to the Opposite Parties to sanction and disburse the pension, gratuity and unutilized leave salary to him after revising his pay in accordance with ORSP Rules, 2017 with all consequential financial benefits.
 4. It is submitted by the learned counsel for the Petitioner that though the Petitioner was initially appointed as Sub-Assistant Engineer under the Works Department on 26.12.1981, he was sent on deputation to the Panchayati Raj & Drinking Water Department and while

continuing in the Panchayati Raj & Drinking Water Department, the Petitioner has retired from service on attaining the age of superannuation w.e.f. 31.7.2018. It is further submitted that although the Petitioner has retired from service in the year 2018, but till date he has not received his retiral dues and pensionary benefits as due and admissible to him. It is further submitted that the Service Book of the Petitioner has not been updated by the Opposite Party No.4 under whom he was working and finally retired from service. Therefore, the Opposite Party No.1, who is competent authority to sanction is enable to do the needful in the matter and forward the papers to the Accountant General of Odisha for release of the benefits in favour of the Petitioner. It is further submitted that the Petitioner has approached before the Opposite Parties No.1 and 4 by filing a representation dated 22.10.2019 under Annexure-3 to consider his grievance and do the needful at the earliest, which is stated to be pending before the Opposite party No.1 and 4 till date.

5. Learned Additional Government Advocate, on the other hand, submits that since the matter is pending before the Opposite Party No.1 and 4, it would be suffice if the direction is given to the Opposite Party No.1 and 4 to expedite the process and take a final decision in the matter in accordance with law within a stipulated period of time.

6. Considering such submission and keeping in view the urgency

that the retired employee not getting his retiral dues and pensionary benefits for last four years, this Court disposes of the writ petition at the stage of admission by directing both the Opposite Parties No.1 and 4 to consider the representation of the Petitioner expeditiously and the Petitioner No.4 is specifically directed to update the Service Book of the Petitioner and forward the same to the Opposite Party No.1 within a period of four weeks from the date of production of certified copy of this order and on receiving the updated Service Book of the Petitioner, the Opposite Party No.1 shall do well to process the same and forward the necessary papers to the Accountant General of Odisha for disbursal of the retiral dues as well as pensionary benefits as due and admissible to the Petitioner within one month thereafter. Opposite Party No.6 is also directed to expedite the process and shall do well to disburse the amount as early as possible, preferably a period of within six weeks thereafter.

7. With the aforesaid observation and direction, this writ petition stands disposed of.

(A.K. Mohapatra)
Judge