

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.24909 OF 2022

Khageswar Swain

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

26.9.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard Mr. S.K. Pratap, learned counsel for the petitioner.
3. 3. The petitioner has filed the present writ petition with the following prayer.

“direct the opp. parties to count the past service of the petitioner rendered in the Job Contract Establishment towards his pension and pensionary benefits in the light of decisions passed by this court as well as by the Hon’ble Apex Court of India.”

4. 4. It is also submitted that the claim of the petitioner is covered by a decision of this Court rendered on 12.9.2022 in W.P.C(OAC) No.1009 of 2018. However, it is found that the petitioner prior to approaching this Court, has not approached the authority for claiming extension of the benefit, as has been prayed for, in the Writ Petition.

5. In that view of the matter, while disposing the Writ Petition, the petitioner is directed to move an application in that regard before opp. party No.1. It is observed that if any such application is filed within a period of two weeks from today, the same shall be disposed of by opp. party no.1 within a period of three months from the date of receipt of this order. While considering the matter, the relevancy of the order passed by this Court in its order dated 12.9.2022 in WPC(OAC) 1009 of 2018 be taken into consideration.

6. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge



Sangita