

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.26086 OF 2022
Minakshi Sahoo **Petitioner**

-versus-

State of Odisha & Others **Opp. Parties**

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
12.10.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard Mr. P.K. Pradhan, learned counsel for the petitioner and Mr. A.P. Das, learned A.S.C.
3. 3. The petitioner has filed the present writ petition with a prayer to quash the communication dated 16.4.2020 issued under Annexure-4 by the C.D.M.O, Angul-Opp. Party No.4. Mr. Pradhan, learned counsel for the petitioner submitted that the claim of the petitioner as made in O.A. No.4324 (C) of 2016 was disposed of by the learned Tribunal vide its order dated 23.4.2018. But opp. party no.4 without proper appreciation of the same, refused to consider the claim of the petitioner for extending the benefit of 2nd RACP on the ground that the matter is pending before the competent court.
4. 4. Mr. Das, learned A.S.C on the other hand submitted that opp. party No.4 be directed to take a fresh decision on the petitioner's claim taking into account the submission of the learned counsel for the petitioner that her earlier case has already been

disposed of and no other matter is pending before any other Court of law.

5. In view of that, this Court while disposing the writ petition, directs Opp. Party No.4 to take a fresh decision on the petitioner's claim taking into fact that her earlier case has already been disposed of by the learned Tribunal since 23.4.2018. If on such reconsideration, the petitioner is found eligible to get the benefit, necessary order be passed in that regard also. The entire exercise shall be completed within a period of three months from the date of receipt of this order.

6. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

