

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26437 of 2022

Surekha Bishoi

....

Petitioner

Mr. Krishna Chandra Sahu, Adv..

-versus-

State of Odisha and Ors.

.... *Opposite Parties*

Mr. Debasis Mohapatra, SC
(for S & ME Deptt.)

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
14.10.2022

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this Writ Petition, the Petitioner, challenges the action of the Opposite Parties in not sanctioning family pension in her favour.
4. Learned counsel for the Petitioner submits that the Petitioner husband namely Kirtan Bisoi was initially appointed as a Primary School Teacher and after serving for about more than 39 years, he retired from Service from Panakua Primary School under Daspalla Block on 31.12.1999 on attaining the age of superannuation. After retirement, the Petitioner's husband got the pension and pensionary benefit as due and admissible as usual and

his pension was sanctioned with P.P.O. No.29253/02/2001. He further submits that the Petitioner's husband was continuing to get his pension. His first wife namely Sita Dei who nominated as his wife prior to his retirement had suffered from cancer and passed away on 01.03.2004. He further submits that during the prolonged bed-ridden so also the treatment of his first wife, the husband of the Petitioner had kept the present Petitioner to look after her ailing wife so also his family with the consent of his first wife and ultimately married the present Petitioner giving her the status of wife. However, as the Petitioner did not have any proof of marriage or marriage certificate, her name has not been mentioned in the nominee column of the pension papers. The Petitioner has approached the Opposite Party No.5/ Controller of Accounts, Odisha, Bhubaneswar by way of representation, but the same is pending since 10.03.2022.

5. In such view of the matter, the Opposite Party No.5/ Controller of Accounts, Odisha, Bhubaneswar is directed to dispose of the representation dated 10.03.2022 of the Petitioner within a period of one month from the date of presentation of a copy of this order along with a copy of the Writ Petition.

6. Accordingly, this Writ Petition is disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Dr. S.K. Panigrahi)
Judge

B.Jhankar

