

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.497 of 2016

Premashila Digal & Anr. Petitioners

-versus-

State of Odisha & Anr. Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
19.09.2022**

Order No

07. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. B.K. Parida, learned counsel for the Petitioners and Mr. B. Panigrahi, learned ASC appearing for the Opp. Parties.

3. The present writ Petition has been filed with the following prayer:-

“(i) Admit the original application.

(ii) Issue notice to the respondents.

(iii) To give family pension in equal share with 18% penal interest accrued thereon by setting aside the letter dated 20.03.2015 under Annexure-7 within a stipulated period.

(iv) any other relief(s) be passed as deem fit and proper in the interest of justice.”

4. It is submitted by learned counsel for the Petitioner that the Petitioner No. 2 got married during subsistence of the first marriage

of the deceased employee on 30.10.1984 and an affidavit has been filed to that effect by the said Petitioner No. 2.

5. In view of the admission of the Petitioner No. 2 that she has married the deceased Govt. employee during subsistence of the first marriage, the Petitioner No. 2 is not eligible to get any benefit and other retiral dues as due and admissible to the deceased employee.

6. The writ Petition is disposed of accordingly.

Sneha



(Biraja Prasanna Satapathy)
Judge