

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27942 of 2022

Naba Kishore Bhoi

.... ***Petitioner***
Mr. P.K. Sahoo, Advocate

-versus-

State of Odisha & Others

.... ***Opp. Parties***
Mr. B.P. Tripathy, A.G.A.

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER

11.11.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
 3. The present writ petition has been filed by the petitioner with the following prayers:
 - i) The writ petition be allowed.
 - ii) This Hon'ble Court may graciously be pleased to direct the Opposite Parties to sanction pensionary benefits i.e. pension and DCRG and other retirement benefits as per OCS (Pension) Rules, 1992 from the date retirement in favour of the petitioner as per the settled law decided by the Hon'ble Supreme Court of India vide Annexure-5 series.
 - iii) This Hon'ble Court be pleased to direct the Opposite Parties to pay the arrears dues with interest.
 - iv) And pass such other order/orders as may be deemed fit and proper for the interest of justice.
 4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 05.04.2022 under

Annexure-6 before the Principal Secretary to Government, Water Resources Department, Rajib Bhawan-Opposite Party No.1, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Ministry of Principal Secretary to Government, Water Resources Department, Rajib Bhawan -Opposite Party No.1 to consider the representation of the petitioner dated 05.04.2022 under Annexure-6 taking into consideration Annexure-5 series in accordance with law within a period of eight weeks from the date of production of certified copy of this order. It is needless to mention here that the representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

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

(A.K. Mohapatra)
Judge