

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28027 of 2022

***Sachidananda Pattanaik @
Pattnayak***

....

Petitioner

Mr.Swapnil Roy, Advocate

-versus-

State of Orissa of & others

....

Opposite Parties

Mr.A.Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

25.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore, prayed that this Hon’ble Court may graciously be pleased to admit the writ petition and issue Rule NISI to the Opp.Parties to show cause as to

- i) Why the Opposite Parties will not be directed to grant regular pension as due and admissible in favour of the Petitioner w.e.f. July, 2020 as provided under OCS(Pension) Rule, 1992 within a stipulated time and
- ii) Why the Opposite parties will not be directed to sanction the gratuity as due and admissible in favour of the Petitioner along with interest within a stipulated time; and
- iii) Why the Opposite Parties will not be directed to sanction and disburse the arrear pension as due and admissible on such sanction of regular pension within a stipulated time; and

And if the Opposite parties do not show cause then the Rule be made absolute by issuing appropriate writ/writs and any other order as deem fit be passed;”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Executive Engineer, Minor Irrigation Division, Nayagarh, Opposite Party No.5 on 04.11.2021 under Annexure-4. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.5 to consider the representation of the Petitioner under Annexure-4 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.5 to consider the representation of the Petitioner under Annexure-4 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.5 shall do well to dispose of the representation of the Petitioner under Annexure-4 by passing a speaking and reasoned order.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

