

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3183 of 2016

Mira Manjari Dhal

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

12.08.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard learned counsel for Petitioner and learned counsel for the State-Opposite Parties.
3. 3. The present Writ Petition has been filed with the following prayer:-

“(i) to direct the authorities to count her past services rendered as G.P. Secretary towards qualifying service.

(ii) to direct the authorities to open GPF Account / deduct GPF subscription as done in the case of other VLWs.

(iii) to direct the authorities, to allow other consequential service benefits as available under law.

(iv) to dispose of her representation pending with the authorities”.
4. 4. It is submitted that even though seeking extension of the benefit as prayed for in the writ petition, the petitioner has approached the opposite party No.1 on 16.12.2015 under Annexure-4, but no decision has been taken on the same.

5. It is submitted that similar benefit as claimed by the Petitioner has been extended in favour of similarly situated persons vide Annexure-7-Series by the B.D.O., Nischantakoili. It is accordingly submitted that since the claim of the petitioner is similar to the benefit extended under Annexure-7, necessary direction be issued to the Opposite Party No.1 to take a decision under Annexure-4 within the stipulated time.

6. In the counter affidavit filed by the Opposite Parties, it has been indicated that the said benefit under Annexure-7 has been extended basing on the instruction received from the Finance Department on 02.04.2007.

7. Therefore, this Court while disposing the writ petition directs the Opposite Party No.1 to take a lawful decision under Annexure-4 taking into account the benefit extended in favour of similarly situated persons under Annexure-7-Series and the stand taken by the opposite parties in Paragraph-11 of the counter that the said benefit has been extended basing on the Finance Department letter dated 02.04.2007. The said exercise shall be completed by the Opposite Party No.1 within a period of three months from the date of receipt of this order. The order so passed be also communicated to the petitioner within that time.

8. Accordingly, the Writ Petitions are disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat