

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.1399 of 2014

Kamal Lochan Nayak

....

Petitioner(s)

Mr. R.K. Bisoi,
Advocate

-versus-

State of Odisha

....

Opposite Party(s)

Mr. S. Ghose,
Addl. Govt. Adv.

CORAM:

JUSTICE BISWANATH RATH

ORDER

21.06.2022

Order No.

01.

1. This application involves the following relief:-

“In view of the facts and circumstances as narrated in para-6 above, it is ardently prayed that your lordships may kindly be pleased to direct the Respondents to sanction and disburse the commuted value of pension of applicant within a stipulated period as fixed by this Hon’ble Tribunal.

And pass any other order / orders as deemed fit and proper in the interest of justice, equity and good conscience.”

2. This matter is pending since 2014. It appears, the Tribunal by its order dated 12.12.2015 has passed the following order:-

“The applicant has filed this OA with a prayer to direct the respondents to sanction and disburse the commuted value of pension of applicant within a stipulated period. It is submitted that the same amounting to Rs. 184522/- has already been sanctioned in favour of the applicant. So, it is prayed that the OA became infructuous. A copy of the sanction order dt. 30.10.2014 also filed which taken into record.

As the applicant is absent, let the OA be kept pending till next date for necessary hearing and disposal.”

3. Keeping in view the recording made hereinabove, it appears, there has been some payment to the petitioner towards commuted value of pension. Learned counsel for Petitioner has no instruction to the same.

4. For the clear recording by the Tribunal by its order dated 12.12.2015 this Court finds, there may not be any cause of action surviving. For the learned counsel for Petitioner not having updated information, this matter stands disposed of without interference but with liberty to the Petitioner, in the event the commuted value of pension has not been paid as yet, it may be open to the Petitioner to re-approach the Court.

(Biswanath Rath)
Judge