

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28908 of 2022

Ananta Kumar Dwivedy

.... ***Petitioner***
Mr. P. Das, Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***
Mr. A. Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.11.2022

Order No.

01.

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 Petitioner has filed this writ petition seeking direction to the Opposite Parties to modify the office order dated 01.07.2020 issued by the Finance Department under Annexure-2 by clarifying para-4 and further seeks direction to take prompt action to release final pension in favour of the Petitioner in terms of the judgment of this Court in the case of ***Biharilal Barik vs. State of Odisha (W.P.(C) No.2831 of 2016 disposed of on 27.06.2016***), which has been confirmed by the Apex Court in Diary No.20358 of 2017 decided on 23.08.2017.

3. Learned State Counsel contended that since steps have already been taken, let the Director, Panchayati Raj & Drinking Water Department, Odisha, Opposite Party No.3 be directed to forward the

same to the Accounts Officer of the Office of the Accountant General (A & E) Odisha, Bhubaneswar for taking necessary steps for payment of pension to the Petitioner.

4. Considering the contentions raised by the learned counsel for the parties, this Court directs the Director, Panchayati Raj & Drinking Water Department, Odisha, Opposite Party No.3 to resubmit the pension paper of the Petitioner along with necessary documents to the Senior Accounts Officer of the Office of the Accountant General (A & E) Odisha, Bhubaneswar enabling him to get his pensionary benefits. On receipt of the same the Senior Accounts Officer of the Office of the Accountant General (A & E) Odisha, Bhubaneswar, while considering the case of the Petitioner, shall take into consideration the judgment of this Court in Biharilal Barik (supra). The entire exercise shall be done within a period of four months from the date of communication of this order.

5. With the above observation and direction, the writ petition stands disposed of.

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

(A.K. Mohapatra)
Judge