

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 29163 of 2022

Niranjan Das

..... Petitioner

Mr. A.K. Chhatoi, Advocate

-versus-

State of Odisha and others

..... Opposite Parties

Mr. T.K. Pattnaik, ASC

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

03.11.2022

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-Opposite Parties. Perused the record.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“Directing the Opp. Parties to compute the pre-interruption service period of the Petitioner from 02.05.1972 to 01.02.1976 towards qualifying service to arrive at 25 years of qualifying service to be eligible for pension @ 50% of last emoluments and sanction the pension accordingly w.e.f. date of entitlement of pension & disburse the differential arrears thereon in favour of the Petitioner within time stipulated.

And for this act of kindness the Petitioners as in duty bound shall every pray.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 21.09.2022 before the Opposite Party No.1-Principal Secretary to Government, Health and Family Welfare Department, Loka Seva Bhawan, Odisha, Bhubaneswar under Annexure-18, but 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 authority concerned 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 and without expressing any opinion on the merits of the case, this Court dispose of the writ petition at the stage of admission with a direction to the Opposite Party No.1-Principal Secretary to Government, Health and Family Welfare Department, Loka Seva Bhawan, Odisha, Bhubaneswar to consider the representation of the Petitioner dated 21.09.2022 under Annexure-18 taking into consideration Annexure-11 and Rule-36(a)(b) of the OCS Pension Rules, 1992 under Annexure-12 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge