

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29224 of 2022

Surekha Devi

..... Petitioner

Mr. S.K. Mishra, Advocate

-versus-

State of Odisha and others

..... Opp. Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

09.11.2022

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 present writ petition has been filed by the petitioner with the following prayers:
- “Under the above circumstances, it is therefore humbly prayed that this Hon’ble Court may be graciously pleased to direct the Opp. Parties to revise the family pension of the petitioner as per the pay of the husband of the petitioner at the rate of Rs.10,290/- under the 6th Pay revision instead of Rs.7,345/- and accordingly the family pension be fixed under the subsequent pay revision in its appropriate rate.
- And further be pleased to direct the opposite parties to calculate the arrears and pay the same to the petitioner with it’s interest @ 12% per annum.
- And/or pass any other appropriate writ/writs, order/orders and direction/directions in the fitness of the case;”
4. It is submitted by learned counsel for the petitioner that the

petitioner is a widow of the deceased Government employee and she is entitled to get the family pension as per law. Although the family pension was sanctioned and disbursed in her favour, the same has not revised scale of pay. Accordingly, she had approached the authorities for revision of family pension.

5. On perusal of the letter dated 26.12.2019 under Annexure-5, it appears that since intimating her, as the consolidated LTA pension and family pension are higher as per the representation of the petitioner and the same are payable by the Treasury Officer. Further it was intimated the said fact to the Treasury Officer vide Authority letter No.SA109/2308 dated 16.09.2019 in Sl.No.1(b). Despite submission of representation, no action has been by the Treasury Officer-Opposite Party No.2 as of now.

6. Learned counsel for the State, on the other hand, submits that he has no objection, if a direction is given to the Treasury Officer, Dhenkanal-Opposite Party No.2 to consider the grievance of the petitioner and take steps as has been suggested in letter dated 26.12.2019 under Annexure-5 in accordance with law within a stipulated period of time.

7. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Treasury Officer-Opposite Party No.2 to take decision in the matter referring to the letter dated 26.12.2019 under Annexure-5 and sanctioned and disbursed the same in favour of the petitioner in accordance with law within a period of four weeks from the date of production of certified copy of this order. The decision so taken on

the said letter shall be communicated to the petitioner within a period of two weeks thereafter.

8. With the aforesaid observation/direction, the writ petition is disposed of.

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

Jagabandhu

(A.K. Mohapatra)
Judge

