

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.29354 of 2022**

***Sarat Kumar Dash***

....

***Petitioner***

*Mr. K.C. Mohanty, Advocate*

*-versus-*

***Minister of O.L.I.C. Ltd.,  
Bhubaneswar and others***

....

***Opp. Parties***

*Mr. N.K. Praharaj, AGA*

**CORAM:  
JUSTICE A.K. MOHAPATRA**

**ORDER**

**21.11.2022**

**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 Additional Government Advocate appearing for the State-Opposite Parties.
  3. This writ petition has been filed by the Petitioner seeking a direction to the Opposite Parties to consider the period of service which he has rendered, i.e., from 30.01.2002 to 30.01.2005 and to treat the said period as on duty and necessary financial and service benefits be extended to him by fixing the salary and final pension in terms of the direction issued by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.183(C) of 2008 vide order dated 10.11.2016.
  4. It is submitted by the learned counsel for the Petitioner that a disciplinary proceeding was initiated against the Petitioner while he was in service. The same was challenged by the

Petitioner before the Tribunal by filing the aforesaid O.A. and the Tribunal after hearing the O.A. vide its order dated 10.11.2016 was pleased to quash the proceeding and further it was directed to regularize the entire suspension period of the Petitioner as duty and accordingly further directed to extend all consequential financial and service benefit to him and the entire exercise to be completed within a period of three months, failing which, the authorities shall pay 7% interest per annum till the actual payment is made. It is further contended that despite the direction passed by the Tribunal vide order dated 10.11.2016, the authorities have not granted the entire financial benefits to the Petitioner.

5. Learned Additional Government Advocate appearing for the State-Opposite Parties, on the other hand, submits that the matter can be disposed of by directing the competent authority to consider the case of the Petitioner in the light of the order passed by the Tribunal within a stipulated period of time.

6. Considering the submissions made by the respective parties and the limited nature of grievance made in this writ petition, this Court thinks it proper to dispose of this writ petition at the stage of admission by directing the Petitioner to approach before the Opposite Party No.3 by filing a fresh representation along with all supporting documents and a copy of the order passed by the Tribunal in O.A. No.183(C) of 2008 within a period of three weeks from today and in the event such representation is filed, the same shall be considered in

accordance with law within a period of six weeks from the date of presentation of the representation. Further, in the event the Opposite Party No.3 comes to a conclusion that the Petitioner is entitled in view of the order passed by the Tribunal in O.A. No.183(C) of 2008, the same shall be sanctioned and disburse in his favour within a period of two months thereafter.

**( A.K. Mohapatra )**  
**Judge**

Debasis

