

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C. (OAC) No.3574 of 2014

Prafulla Kumar Behera

....

Petitioner

Mr. S.N. Sharma, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. R.C. Pattnaik,

Standing Counsel for the School & Mass Education

CORAM:

JUSTICE M.S. RAMAN

ORDER

11.04.2022

Order No.

01.

1. This matter is taken up through virtual/physical mode.
2. The Original Application No.3574 (C) of 2014 was filed before the Odisha Administrative Tribunal, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No. 3574 of 2014.
3. The grievance of the Petitioner in the original application before the Odisha Administrative Tribunal is that the period of 9 months 11 days during which he had undergone in service training was not counted for the purpose of pension.
4. Mr. S.N. Sharma, learned counsel for the Petitioner submits that during pendency of this petition, the grievance of the Petitioner has been addressed to and the pension has been duly revised by regularizing the aforesaid period.
5. Mr. R.C. Pattnaik, learned Standing Counsel for the School & Mass Education placed the letter of the Additional Controller of Accounts, Odisha, Bhubaneswar vide No.G&C-II-94/15-886/CA., dated 4th August, 2015. The relevant portion of the said letter is quoted hereunder:

“xx xx xx xx

After re-examining the case of the applicant with reference to his service records it is found that the applicant has been allowed to undergo in service Hindi training and the E.O.L. period has been counted towards increment. In considering the above facts the pension of the applicant has been revised from Rs.8321/- to 8691/- w.e.f.1.3.2012 and differential DCRG for Rs.34,668/- vide this office authorities issued in letter No.38554/CA dt.28.7.2015 and No.38546/CA dt.28.7.2015 respectively. Copies of letter dtd.28.07.2015 are enclosed herewith for reference.

It is, therefore, requested that the above facts may please be placed before the Hon'ble Tribunal for kind appraisal with a request to drop the case as the grievance of the applicant have been mitigated.”

6. Accordingly, this writ petition has been rendered infructuous.

Hence, this writ petition is disposed of in terms of the above instruction submitted by learned counsel for both the parties.

(M.S. Raman)
Judge

Jyostna

