

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29519 of 2022

Meena Nayak

....

Petitioner

Mr. Tapan Kumar Biswal, Advocate

-versus-

Union of India & others

....

Opposite Parties

Mr. D.R.Bhokta, C.G.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

29.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel.
3. The Petitioner has filed this writ petition with the following prayer :

“It is therefore prayed that this Hon’ble Court may be graciously pleased to direct the Opp.Parties more particularly O.Ps to sanction family pension in favour of the Petitioner at earliest for the interest of natural justice.

And further be pleased to pass any other appropriate order/orders as deemed fit and proper under the facts and circumstances of the case for ends of justice.”

4. In course of hearing, learned counsel for the Petitioner submits that liberty may be granted to the Petitioner to file a fresh representation ventilating her grievance before the Opposite Party Nos. 3 & 4, which may be considered within a stipulated period of time in accordance with law.

5. Learned Additional Standing Counsel for the State on the other hand submits that he has no objection if liberty is granted to the Petitioner to file a fresh representation before the Opposite Party Nos.3 & 4 and the same is considered and disposed of in accordance with law.

6. In view of the aforesaid limited nature of grievance of the petitioner, this Court disposes of the writ petition granting liberty to the Petitioner to file a fresh representation before the Opposite Party Nos.3 & 4 ventilating her grievance within a period of two weeks. If such a representation is filed within the time stipulated, the same shall be considered and disposed of by the said Opposite Party No.1 in accordance with law within a period of six weeks from the date of filing representation. Since the Petitioner has not approached the Departmental Authority, the Petitioner is directed to approach the Opposite Party Nos. 3 & 4 by filing a representation taking all the grounds available to him along with supporting documents within two weeks from today and in the event such a representation is filed, the same shall be considered within a period of six weeks. Further, in the event it is found that the Petitioner is eligible to get family pension, the same shall be released in her favour within four weeks from the date of taking decision on the representation of the Petitioner.

7. With the aforesaid observation the writ application stands disposed of.

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

