

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29795 of 2022

Annapurna Das @ Mallick

.... Petitioner
Mr. S. Dash(A), Advocate

-versus-

State of Odisha and others

.... Opposite Parties
Mr. B.P. Tripathy, AGA

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER

30.11.2022

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.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“It is therefore prayed that your Lordship would be graciously pleased to:

- (i) *Admit and allow the writ petition and call the records in connection with the PF Account No.OR/12/390.*

AND

- (ii) *To issue a Rule “NISI” calling upon the Opp. Parties to show cause as to why the Opp. Parties the petitioner’s share of the provident fund, arising from her father PF Account No.OR/12/390 has not been disbursed till date. If the Opp. Parties to fails to show cause or file insufficient cause, then the rule may be made absolute against the Opp. Parties.*

AND

- (iii) *To issue writ of mandamus directing to the concerned authority (O.P. 1, 3 and 4) to disburse, the unpaid 1/3rd share of the*

petitioner, which she is entitled to, after attaining majority, from her deceased father's (Late Chitanya Das) PF Account No.OR/12/390.

AND

- (iv) *Or alternatively, the representation dated 3.10.2022, under Annexure-7, be disposed of within a stipulated period, by redressing the grievance of the Petitioner.*

AND

- (v) *Any other relief(s)/order(s)/directions(s) which your Lordship deem fit and proper for the interest of justice equity and fair play."*

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 03.10.2022 before the Opposite Party No.3 with a copy thereof forwarded to the Opposite Party No.2 under Annexure-7, 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 representation 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 disposes of the writ petition at the stage of admission with a direction to the Opposite Parties No.2 and 3 to consider the representation of the Petitioner dated 03.10.2022 under Annexure-7 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

Debasis

