

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAS) No. 36 of 2017

Hemasagar Nayak

.....

Petitioner

Mr. S.K. Sahu, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

23.08.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard learned Counsel for the Parties.

3. The Petitioner has filed this Writ Petition seeking to quash the order dated 09.06.2017 and 07.07.2017 under Annexures-11 and 12 and to issue direction to the opposite parties to release the final pension, DCRG and CVP in favour of the petitioner within a stipulated time.

4. Learned Counsel for the Petitioner contended that the claim of the Petitioner is covered by the judgment of the apex Court in the case of *State of Punjab and others v Rafiq Masih (White Washer)*, AIR 2015 SC 696 and as such, the Opposite Parties may be directed to consider the claim of the Petitioner in terms of the ratio decided in the case of *State of Punjab and others v Rafiq Masih (White Washer)*, AIR 2015 SC 696.

5. In view of the above, the Writ Petition stands disposed of directing the Opposite Parties to consider the case of the Petitioner in terms of the ratio decided in the case of *State of Punjab and others v Rafiq Masih (White Washer)*, AIR 2015 SC 696 and take a decision within a period of three months from the date of communication of the order.

(DR. B.R. SARANGI)
JUDGE

Ashok