

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30500 of 2022

Minakshee Mohanta

....

Petitioner

Mr. S.B. Jena, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. T.K. Pattnaik, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

06.12.2022

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:-

“Under the aforesaid facts and circumstances of the case, it is therefore, prayed that this Hon’ble Court may graciously be pleased to issue a writ in the nature of mandamus or any other appropriate writ/writs by directing the Opp. Party No.1 to count the services of the petitioner w.e.f. 1.5.2000 till 19.12.2009 for the purpose of pension and other retiral benefits after her retirement.

Further be pleased to direct the Opp. Parties to deduct the GPF of the petitioner.

And further be pleased to direct the Opp. Parties to that petitioner will governed by the OCS (Pension) Rule 1992.

And further be pleased to direct the Opp. Parties to give all consequential service and

necessary benefits to the petitioner.

*Or pass any other order/orders as this
Hon'ble Court to think fit and proper."*

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 07.08.2021 before the Opposite Party No.1 under Annexure-5, 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-Opposite Parties 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 Party No.1 to consider the representation of the Petitioner dated 07.08.2021 under Annexure-5 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