

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30504 of 2022

Swastani Mohanta

....

Petitioner

Mr.Shashi Bhusan Jena, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.B.P.Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.11.2022

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 Government Advocate.
3. The Petitioner has filed the present writ application with the following prayer:

“ 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.Paty no.1 to count the services of the Petitioner w.e.f. 01.05.2000 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 govern 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. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Principal Secretary, Health & Family Welfare Department, Odisha, Bhubaneswar, Opposite Party No.1 on 07.08.2021 under Annexure-5. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-5 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.1 to consider the representation of the Petitioner under Annexure-5 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-5 by passing a speaking and reasoned order.

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

8. Issue urgent certified copy of this order as per Rules.

