

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.636 of 2017

Nirmala Gochhayat

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
16.09.2022

Order No

- 2.**
- 1.** This matter is taken up through Hybrid Mode.
 - 2.** Heard Mr. S.K.Mishra, learned counsel for the Petitioner and Mr. Panigrahi, learned Addl. Standing Counsel for the State- Opposite Parties.
 - 3.** The present Writ Petition has been filed with the following prayer:-

“Under the above circumstances, it is therefore humbly prayed that the Hon’ble Tribunal be graciously pleased to direct the respondents to include the services of the applicant in the pensionable establishment under the provisions of Orissa Civil Services (Pension) Rules, 1992, as was in force prior to the amendment in 2005 and for deduction of G.P.F amount under the provisions General Provident Fund (Orissa) Rules, 1938 as was in vogue prior to its amendment in 2007, from the date of her joining, which were applicable to her by the time when the applicant joined her service and such benefit should extended to her within a stipulated time;

And /or pass any other order / orders in the fact and circumstances of the case to give complete justice to the applicant”.

4. Learned counsel for the Petitioner submitted that the persons similarly situated are appointed along with the Petitioner vide order under Annexure-1 approached the learned Tribunal in various applications praying for extension of similar relief as has been prayed for by the Petitioner in the present Writ Petition.

5. It is submitted that learned Tribunal vide order dated 14.08.2014 passed in similar case in O.A. No.1669/2014 allowed the claim of the said petitioner therein.

6. It is submitted that the said order passed by the learned Tribunal has been implemented by the Government in the meantime.

7. Even though notice of the writ petition was issued on 17.03.2017, but no counter affidavit has been filed. But it is fairly submitted that the similar benefits has been extended in favour of the Petitioner in O.A. No.1669 of 2014.

8. In view of such submissions made by the learned counsel for the Parties, the prayer as made in the Writ Petition is allowed and the Opposite Parties are directed to extend the benefit as prayed for within a period of four months from the date of receipt of this order.

9. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge