

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30598 of 2022

Kamala Swain

....

Petitioner

Mr. Sanjib Mohanty, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. T.K.Patnaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.11.2022

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 Standing Counsel.
3. The Petitioner has filed this writ petition with the following prayer :

“Under such circumstances, it is humbly prayed that this Hon’ble Court may kindly be pleased to admit the case and issue notice to the Opposite Parties to file their show cause so as to the case of the Petitioner shall be allowed and after hearing the parties, the case of the Petitioner be allowed.

And direction be given to the Opposite Party No.1 to sanction and release the family pension and life time arrear pension in favour of the Petitioner taking into account of the Govt. letter vide Annexure-3 dated 03.12.2005 and order of this Hon’ble Court passed in W.P.(C) No.25395 of 2017 disposed of on 15.04.2018 within a period of two months and the arrear to that effect be paid to her within a stipulated period.”

4. In course of hearing, learned counsel for the Petitioner submits

that the Petitioner may be given liberty to file a fresh representation ventilating her grievance before the Secretary, Revenue & Disaster Management Department, Government of Odisha, Opposite Party No.1 which may be considered within a stipulated period of time in accordance with law.

5. Learned Additional Standing Counsel for the State on the other hand submits that he has no objection if liberty is granted to the Petitioner to file a fresh representation before the Opposite Party No.1 and the same is considered and disposed of in accordance with law.

6. In view of the aforesaid limited nature of grievance of the petitioner, this Court disposes of the writ petition granting liberty to the Petitioner to file a fresh representation before the Secretary to Government of Odisha, Revenue and Disaster Management Department, Opposite Party No.1 ventilating her grievance within a period of three weeks. If such a representation is filed within the time stipulated, the same shall be considered and disposed of by the said Opposite Party No.1 in accordance with law within a period of eight weeks from the date of filing representation taking into consideration the order of this Court in W.P.(C) No.25395 of 2017 (Smt.Rupa Sahoo-v.-Secretary to Government, Revenue & D.M.Department, Odisha & others) and the decision so taken on the representation of the petitioner shall be communicated within two weeks thereafter.

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

Urgent certified copy of this order be granted on proper application.

RKS

