

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36493 of 2021

<i>Susanta Kumar Sahoo</i>		<i>Petitioner</i>
	Mr. B. B. Mohanty, Advocate	
	-versus-	
<i>State of Odisha and others</i>		<i>Opp. Parties</i>
	Mr. P.K. Muduli, AGA	

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK**

Order No.

**ORDER
26.04.2022**

03. 1. The only reason why the Petitioner has not been given the benefits is explained in para 8 of the counter affidavit of opposite Party No.5 in W.P.(C) No.36493 of 2021, in the following manner:

“8.In response, Additional Secretary to Government of Odisha, Home Department vide letter No.1705 dated 20.01.2022 while conveying and basing upon the observation of the Finance Department has intimated that it is not possible to grant the benefit of inclusion of the services in the pensionable establishment under the provisions of O.C.S. (Pension) Rules, 1992 and deduction of G.P.F. amount under the G.P.F.(O) Rules, 1938 in favour of the aforesaid four employees of the Orissa High Court, since, they have not in their favour any judicial order for making the old pension Rules applicable in their case or for consideration of their case citing the earlier order.”

2. It is clarified that the judicial order earlier passed in W.P.(C) No.15433 of 2012 (*Anand Dash v. State of Odisha*) will be made applicable to all the present Petitioners as well.

Consequently, the same direction will stand issued in these petitions.

3. The rejection order dated 6th August, 2021 (Annexure-5) challenged in W.P.(C) No.36493 of 2021 is hereby quashed.

4. The writ petition is disposed of in the above terms.

5. An urgent certified copy of this order be issued as per rules.



KC Bisoi