

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 940 of 2019

Nilamani Nayak

.....

Petitioner

Mr. B.K. Shharma, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

Mr. S. Jena, SC, S&ME Deptt.

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

10.10.2022

Order No.

01

This matter is taken up through hybrid mode.

2 Heard.

3. The petitioner has filed this writ petition seeking direction to opposite parties to consider his case for sanction of Pension under OCS (Pension) Rules, 1992 and General Provident Fund Rules, 1938 without insisting him to contribute as per OCS (Pension) Amendment Rules, 2005 and GPF (Orissa) Amendment Rules, 2007.

4. Learned counsel for the petitioner contended that highlighting the grievances, the petitioner has made a representation to opposite party No.1 vide Annexure-5 and the same may be directed to be considered within a stipulated time, taking into consideration the ratio decided in the case of *Anand Dash v. State of Odisha*, 2014 ILR-CUT-459 which has been upheld by the apex Court in SLP Nos. 35462-35464 of 2014 decided on 09.03.2018, to which learned counsel for the State has no objection.

5. As agreed to by learned counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing opposite party No.1 to consider the representation filed by the petitioner vide Annexure-5, taking into consideration the ratio decided in the case of *Anand Dash* (supra), and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy of this order.

6. Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI, J.)