

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31580 of 2022

Smt. Charubala Swain

....

Petitioner

Mr. B.K. Raj, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Arnav Behera, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

06.12.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:-

“The petitioner therefore prays that in view of the submissions made above the Hon’ble Court may be graciously pleased to issue Rule NISI, calling upon the opposite parties as to;

- i) Why she shall not got pension with all retirement benefit of her husband taking into account the service rendered within stipulated time.*
- ii) Why she shall not get family pension within the stipulated time.*

If the opposite parties failed to show cause or show insufficient cause the rule be made absolute;

And/or any other order(s)/direction(s) as your Lordship deem fit and proper.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 20.08.2022 before the Opposite Party No.2 under Annexure-7 Series, but the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State-Opposite Parties submits that he has no objection, if a direction is given to the authority concerned to consider the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and without expressing any opinion on the merits of the case, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party No.2 to consider the representation of the Petitioner dated 20.08.2022 under Annexure-7 Series in accordance with law within a period of eight weeks from the date of production of certified copy of this order. It is needless to mention here that the representation of the Petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the Petitioner within a period of two weeks thereafter.

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

(A.K. Mohapatra)
Judge