

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33723 of 2022

Dhabaleswar Das

.... ***Petitioner***
Mr. S.K. Nath, Advocate

-versus-

Union of India & Others

.... ***Opp. Parties***
Mr. N.K. Praharaj, AGA

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER
14.12.2022

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:-

“It is therefore, prayed that this Hon’ble Court may graciously be pleased to direct the opposite parties especially the opposite party No.3 to publish DO part-II order as per the recommendation made by the Zilla Sainik Board, Sambalpur vide Annexure-3 series dt. 11.4.2018 for the purpose of incorporating his 2nd wife namely Premesila Dash in place of late Sabitri Das in the pension payment order of the petitioner.

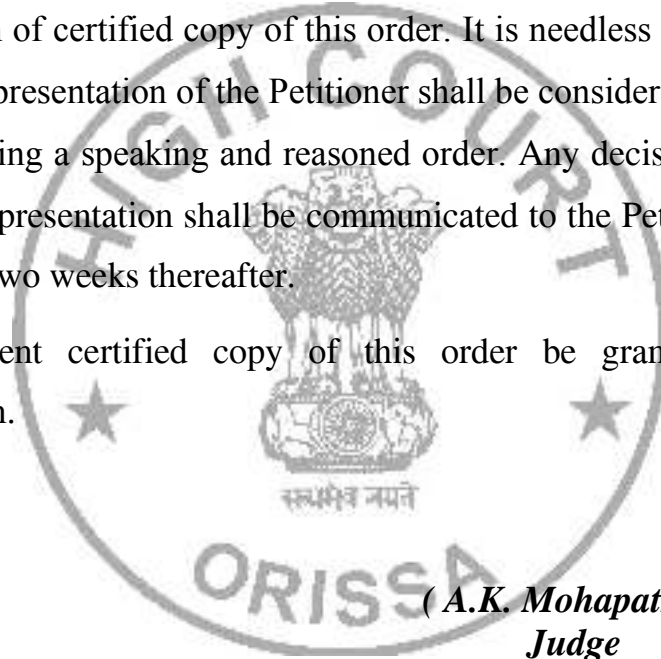
Pass such other order/direction as may be deemed fit and proper in the interest of justice.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation before the Opposite Party No.3 under Annexure-6, 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 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.3 to consider the representation of the Petitioner under Annexure-6 taking into consideration the Annexure-3 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