

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 40626 of 2021**

*Sharat Kumar Upadhyaya and  
another*

.....

***Petitioners***

*Mr. S.B. Mohanty, Advocate*

Vs.

*State of Orissa and others*

.....

***Opposite parties***

*State Counsel*

**CORAM:**

**DR. JUSTICE B.R. SARANGI**

**ORDER**

**19.01.2022**

**Order No.**

1

This matter is taken up through video conferencing mode.

2. Heard learned counsel for the parties.

3. The petitioners have filed this writ petition seeking direction to the opposite parties to allot GPF account by governing their official status as pre-2005 appointee so as to draw the pensionary benefits under O.C.S. Pension Rules, 1992 keeping in view the judgment/order dated 30.07.2012 passed by the apex Court in SLP No.11570 of 2012.

4. In course of hearing, learned counsel for the petitioners states that highlighting the grievances, the petitioners have made a representation to opposite party No.1 vide Annexure-6 and the same may be directed to be considered within a stipulated time, taking into consideration Annexures-4 and 5, to which learned State Counsel has raised 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 petitioners vide Annexure-6, taking into consideration Annexures-4 and 5, and pass appropriate order in accordance with law within a period of three months from the date of production of certified/authenticated copy of this order.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25<sup>th</sup> March, 2020, as modified by Court's Notice No. 4798 dated 15<sup>th</sup> April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7<sup>th</sup> January, 2022.

*Alok*

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

