

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34879 of 2022

Subash Ch.Rath

....

Petitioner

Mr.Kunal Kumar Swain, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.T.K.Patnaik,A.S.C.

Mr.S.K.Patra, Advocate for O.P.No.3

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.12.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel. Perused the writ application and the documents annexed thereto.
3. The present writ application has been filed with a prayer for a direction to the Principal Accountant General (A&E), Opposite party No.3 to revise the monthly pension of the Petitioner from 19,535/- to Rs.22,450/-at Level-10 of the Pay Matrix under O.R.S.P. Rules, 2017 with effect from 01.01.2016 on the basis of the recommendation pursuant to the Letter dated 28.11.2018 under Annexure-2 issued by the Superintending Engineer, Rural Water Supply and Sanitation Circle, Koraput within a stipulated period of time.
4. Learned counsel for the Petitioner submitted that the revision of pay as per the ORSP Rule 2017 the Petitioner to higher scale of pay. Accordingly his pensionary benefit needs to be revised. The

Disciplinary Authority i.e. the Superintending Engineer, Rural Water Supply and Sanitation Korput has already made a recommendation in favour of the Accountant General (A & E), Odisha (Opposite Party No.3) and the same is stated to be pending before him.

5. Mr.S.K.Patra, learned counsel appearing for Accountant General, (A&E), Odisha submits that in the event any such recommendation is pending, the authority shall consider the same within a stipulated period of time.

6. Considering such submission, this Court disposes of the writ application at the stage of admission directing the Opposite Party No.3 to take a decision under Annexure-2 within a period of six weeks. In the event the Petitioner is entitled to the enhanced pensionary benefit as has been recommended under Annexure-2 the same shall be sanctioned, and released in favour of the Petitioner within a period of two months thereafter.

7. With the aforesaid observation the writ application is disposed of.

8. Issue urgent certified copy of this order as per Rules.

RKS

(*A.K. Mohapatra*)
Judge