

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34925 of 2022

Ramesh Chandra Panda

....

Petitioner

Mr. N.K. Mishra, Sr. Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. B. Pr. Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.12.2022

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. Perused the record as well as documents annexed to the writ petition.
3. The present writ petition has been filed by the petitioner with as prayer for direction to the Opposite Parties to release full pensionary benefits along with retirement dues as such gratuity and leave salary within a stipulated period of time.
4. It is submitted by learned senior counsel for the petitioner that although the petitioner has retired from service on attaining age of superannuation w.e.f. 31.05.2022 after completion of 37 years of unblemished carrier, calculated and disbursed the retiral as well as pensionary benefits as due and admissible to the petitioner. It is further submitted by learned senior counsel for the petitioner that the petitioner is also not getting provisional pension as of now, which he

is entitled to as per rules.

5. Learned counsel for the State submits that the petitioner has already approached the authority by filing the representation dated 26.10.2022 under Annexure-3 and the same is pending before the Principal Chief Conservator of Forests, Bhubaneswar-Opposite Party No.2 and he further submits that, if a direction is given to the said Opposite Party No.2 to consider the representation of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions advanced by learned counsel for the parties, the limited nature of grievance of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to Principal Chief Conservator of Forests, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner dated 26.10.2022 under Annexure-3 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. Further, it is directed that the Opposite Party No.2 shall act upon on production of certified copy of this order and grant provisional pension in favour of the petitioner on production of the certified copy of this order and in the event the petitioner is entitled to get provisional pension, the same shall be released in favour of the petitioner forthwith.

8. With the aforesaid observation/direction, the writ petition is disposed of.

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

Jagabandhu

(A.K. Mohapatra)
Judge

