

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41621 OF 2021

Shailabala Padhiary

.....

Petitioner

Mr. N.C. Rout, Advocate

Vs.

State of Odisha & others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

01.02.2022

Order No.

1

This matter is taken up by video conferencing mode.

2. Heard Mr. N.C. Rout, learned counsel for the petitioner.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to declare that the petitioner is deemed to be continuing in old OCS (Pension) Rules, 1992 and is entitled to all the benefits under the said Old OCS Rules, 1992.

4. In course of hearing, learned counsel for the petitioner contended that the order passed by this Court in W.P.(C) No.31619 of 2020 has already implemented and the benefit has been extended by the authority. Thereby, similar benefit should be extended to the petitioner. Therefore, he stated that the petitioner may be permitted to move a fresh representation raising all the contentions, which have been

raised in the writ petition, before the authority, so that the same can be considered in accordance with law.

5. Considering the limited nature of grievance of the petitioner, this Court directs the petitioner to file a fresh representation within a period of ten days from today ventilating his grievances, which have been raised in the writ petition, before the authority. In the event the petitioner files such representation along with this order, the authority shall consider and pass appropriate order, keeping in view that similar benefit has already been granted to the petitioner in W.P.(C) No.31619 of 2020, within a period of two months thereafter.

6. With the aforesaid observation and direction, the writ petition is disposed of.

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 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Ashok

(DR. B.R. SARANGI)
JUDGE