

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26763 of 2023

Puni Pradhan

....

Petitioner

Mr. Byomakesh Tripathy, Advocate

-versus-

***South Eastern Railway, Kolkata
and another***

....

Opp. Parties

*Ms. Babita Sahu, C.G.C.
for the O.P. No.1*

**CORAM:
JUSTICE A.K. MOHAPATRA**

**ORDER
25.08.2023**

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 Central Government Counsel appearing for the Opposite Party No.1.
 3. The present writ petition has been filed by the Petitioner with the following prayers:-

“In the above facts and circumstance, it is most humbly and respectfully prayed that this Hon’ble Court may graciously be pleased to admit the writ petition, issue notice to the Opposite Parties and after hearing the parties this Hon’ble Court may further be pleased to direct the Opp. Parties to sanction the pension & other financial benefit to the Petitioner on account of death of her husband, who was working as Khalasi on regular basis under East Coast Railway at Kharagpur, West Bengal & who died after prolong treatment.

Or in alternate, to direct the O.P. No.1 to dispose of the representation dated 15.5.2023 of the petitioner under Annexure-3 within a stipulated period.

And, for this act of kindness, the petitioner shall as in duty bound every pray.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation under Annexure-3 before the Opposite Party No.1, 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 Central Government Counsel appearing for the Opposite Party No.1 submits that she 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 learned counsels for 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.1 to consider the representation of the Petitioner under Annexure-3 in accordance with law within a period of two months from the date of production of a 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. In the event it is found that the Petitioner is entitled to the family pension, the Opposite Party No.1 shall do well to sanction and disburse the same within a period of two months thereafter, if there is no other legal impediment. Any decision so taken on the said representation shall be communicated to the Petitioner within a period of two weeks thereafter.

(A.K. Mohapatra)
Judge

Debasis

Signature Not Verified

Digitally Signed
Signed by: DEBASIS AECH
Designation: Secretary
Reason: Authentication
Location: OHC CUTTACK
Date: 29-Aug-2023 16:59:03

