



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20856 of 2014

Sulekha Adhikari

....

Petitioner

Mr. S.B. Mohanty, Advocate

-Versus-

Union of India & Others

....

Opposite Parties

Mr. R.K. Mahapatra, Sr. Panel Counsel

CORAM:

JUSTICE KRISHNA SHRIPAD DIXIT

JUSTICE CHITTARANJAN DASH

ORDER

25.03.2026

Order No.

10.

Learned Senior Panel Counsel- Mr. Rajesh Kumar Mahapatra enters appearance for OPs by filing memo of appearance in Court. The same is taken on record.

2. Petitioner, being the widow of a deceased employee, is knocking at the doors of Writ Court for assailing Cuttack Central Administrative Tribunal's order dated 29.09.2014, whereby her O.A. No.260/00704/2014 has been negatived. In the said OA, she had laid a challenge to the order dated 10.09.2000, whereby her husband was removed from service on the ground of long unauthorized absence between 09.07.1998 and 01.09.2000.

3. After service of notice, the OPs having entered appearance through learned senior panel counsel, resists the petition making submission in justification of the impugned order and the reasons on which it has been structured. We heard the matter for long. We do not



find much merit warranting our interference, inasmuch as the Petitioner is being paid a monthly compassionatery allowance of Rs.11,000/- (Rupees Eleven Thousand) only w.e.f. 17.05.2016, the removal having happened w.e.f. 01.09.2000.

4. A perusal of the records would demonstrate that Petitioner's husband had mental ailment (Schizophrenia of some degrees) and his work at the place was not satisfactory. The Senior Section Engineer, (C & W) Railway, Khurda Road, vide letter dated 09.07.1998, a copy whereof avails at Annexure-6 series, had told Senior Divisional Mechanical Engineer, Khurda about unhappy work culture of Petitioner's husband and his violent behaviour that came in the way of extracting work from him. He had suggested for his compulsory retirement or for accepting voluntary retirement. A bit before Petitioner's husband was punished by withholding increment for a period of six months for being amiss. Be that as it may.

5. Regard being had to totality of the circumstances, more particularly, the deceased employee being a victim of schizophrenia, and also Petitioner being granted monetary compassionate allowance, vide letter dated 17.05.2016 issued by the Assistant Personnel Officer on behalf of Senior Divisional Personnel Officer, Khurda Road, we suggested and the Bar graciously agree that the Petitioner may make an appropriate representation to the jurisdictional authorities seeking grant of compassionate allowance with retrospective effect from the date of removal, i.e., 01.09.2000 or at least from the death of the employee on 05.10.2003, as the case may be, in accordance with law and that the decision has to be taken on the contemplated representation within an outer limit of three months. We further told



that all contentions in this regard need to be kept open for consideration by the jurisdictional authority. It is also open to the Petitioner to seek grant of gratuity payable to the deceased employee, in accordance with law.

In the above circumstances & with the above observations, this petition is disposed off, costs having been made easy.

Web copy of this order to be acted upon by all concerned.

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge

Madhusmita