



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22640 of 2024

Ashok Kumar Mohanty

....

Petitioner

Mr. R.C. Nayak, Advocate

-versus-

Union of India & others

....

Opp. Parties

*Mr. D. Gochhayat, CGC along with
Mr. P.K. Parhi, DSGI
(for O.P. Nos.1 and 2)*

**CORAM:
JUSTICE M.S. SAHOO**

ORDER

01.10.2024

Hybrid Mode

Order No.

- 01.
1. The petitioner is aggrieved by the recovery in excess of the actual amount of the commuted pension that should have been recovered/deducted by the opposite parties no.3 and 4-authorities.
 2. It is submitted by learned counsel for the petitioner that the recoveries made by the authorities from the pension of the petitioner who is aged about 72 years is continuing beyond the schedule period of 12 years which would have ended in February, 2024. There has been further deductions from March, 2024 onwards which is illegal and un-authorised.
 3. Issue notice to the opposite parties.
Learned DSGI along with Mr. Gochhayat, learned Central Government Counsel enter appearance on behalf of opposite party nos.1 and 2 and waive

notice. Let two extra copies of the writ petition be served on the learned CGC within three working days.

Notice be issued to the opposite party nos.3 and 4 by Speed Post/Registered Post with A.D. fixing early returnable date, requisites for issuance of notice shall be filed within three working days.

I.A. No.11778 of 2024

4. Issue notice as above.

Accept one set of process fee.

5. Having heard learned counsel for the petitioner and the learned CGC, as an interim measure, it is directed that no further recovery shall be made from the pension of the petitioner towards commuted value of pension. The recovery made towards commuted value of pension till date, shall be subject to result of the writ petition. The petitioner also undertakes to abide by further directions that would be made by this Court regarding his liability for payment of the installment towards commuted value of pension.

6. The matter stands adjourned granting liberty to the petitioner to move for listing before the assigned Bench.

(M.S. Sahoo)
Judge

jyostna

Signature Not Verified

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Reason: Authentication
Location: ORISSA HIGH COURT
Date: 03-Oct-2024 13:43:42

