



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23265 of 2024

Basantilata Behera

....

Petitioner(s)

Mr. Laxmikanta Mohanty, Adv.

-versus-

State of Orissa & Ors.

....

Opposite Party (s)

Miss Gayatri Patra, ASC

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order

No.

ORDER

19.11.2024

02. 1. This matter is taken up through hybrid arrangement.
2. In filing this Writ Petition, the Petitioner being the wife of the deceased employee has made the following prayer:-

“a direction shall not be issued to revise the pension and pensionary benefits of the husband of petitioner late Purna Chandra Behera as per his last pay drawn dated 31.12.2020 of Rs.56,900/- taking into note of Rule 47 (2)(a) of the OCS (Pension) rule 1992 as well as the order passed by this Hon’ble Court in W.P.(C) No.5650 of 2023 dated 14.08.2023 and accordingly revise the family pension released in favour of the petitioner by the opp.party no.4 under Annexure-7 w.e.f. 15.1.2022 and to release all arrears of pension and pensionary benefits with 9% interest thereof.

ii) After hearing the parties be pleased to direct the opp.parties to revise the pension and pensionary benefits of the husband of the petitioner as per his last pay drawn as on 31.12.2021 of Rs.56,900/- and also taking note of order passed by this Hon’ble Court passed in W.P.(C) No.5650 of 2023 dated 14.08.2023 under Annexure-9 and order dated 02.05.2024 passed by the opp.party no.1 under Annexure-10 with 9% interest thereon till payment is released.

iii) The opp.parties be further directed to calculate and release all his arrears along-with interest; within a date to be fixed by this Hon’ble Court.

And pass any other order/orders, direction/directions as this Hon’ble Court may deem fit and proper.”



3. In such view of the matter, let notice be issued to the Opposite Parties.

4. Learned counsel for the State waives of notice on behalf of the Opposite Party Nos.1 to 3. Let three extra copies of the brief be served on him within three working days hence.

5. Mr. Sudhir Kumar Patra, learned counsel for the Accountant General (A & E), Odisha/Opposite Party No.4 also waives of notice on behalf of the Opposite Party No.4. Let an extra copy of the brief be served on him within three working days hence.

6. On the request of learned counsel for the Petitioner, list this matter along with W.P.(C) No.15729 of 2024 on 4th December, 2024.

(Dr. S.K. Panigrahi)
Judge