

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.3859 of 2013

Sailabala Mishra

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
09.02.2023**

Order No

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. D.N. Mishra, learned counsel for the Petitioner and Mr. N.N. Satapathy, learned Standing Counsel appearing for the Opp. Parties.

3. This is a case where the Petitioner though has retired from her service w.e.f.30.06.2009, but it is contended by Mr. Mishra that the Petitioner has not yet been sanctioned with his retiral benefits and even provisional pension has not yet been sanctioned in spite of the order passed by the Tribunal on 01.09.2017.

4. The present matter was filed before the Tribunal on 02.12.2013 and the matter was initially taken up on 18.12.2013. Thereafter, notice was issued to the Opp. Parties vide order dtd.29.02.2016. Though in the meantime more than 7 years have passed, no counter affidavit has been filed.

5. Taking into account the fact that the Petitioner has not yet been sanctioned with the pension and even provisional pension has not

been sanctioned, this Court directs the O.P. No. 4 to appear before this Court on 17.02.2023 to explain as to why the Petitioner has not yet been sanctioned with pensionary benefits.

6. As requested, list this matter on 17.02.2023.

7. A free copy of the order be provided to Mr. N.N. Satapathy, learned Standing Counsel for the compliance.

(Biraja Prasanna Satapathy)
Judge

Sneha

