
(2023) 02 OHC CK 0031

In the Orissa High Court

Case No : Writ Petition Civil (OA) No. 1211 of 2019

Basanti Panda

APPELLANT

Vs

State Of Odisha And Others

RESPONDENT

Date of Decision : 10-02-2023

Acts Referred:

Citation : (2023) 02 OHC CK 0031

Hon'ble Judges : M.S.Sahoo, J

Bench : Single Bench

Advocate : Prasanta Kumar Joshi, Prasanna Kumar Mohanty

Final Decision : Disposed Of

Judgement

M.S.Sahoo, J

1. The matter is taken up, the learned counsel for petitioner appearing from the virtual court room of High Court at Balangir.

2. Learned counsel for the petitioner addressed arguments that though the deceased husband of the petitioner was entitled for pension after the order of punishment of dismissal imposed upon him in the disciplinary proceeding, which was upheld by the Government in Appeal, was set aside by order of learned Tribunal yet the deceased employee is entitled for interest on the amount of pension that was received subsequently after punishment was set aside.

3. Mr. P.K.Mohanty, learned Additional Standing Counsel refers to paragraph-7 of the counter affidavit dated 1.11.2022 to submit that since the family pensioner was receiving the provisional pension, in fact there has been no delay in payment of amount towards retiral benefits.

4. Learned counsel for the petitioner seeks further accommodation to advance arguments.

List on 14.03.2023 as prayed for.

5. It is submitted by learned counsel for the petitioner that the deceased husband of the petitioner had not received unutilized leave salary and gratuity which were payable to him.

6. Learned Additional Standing Counsel shall obtain instruction as to why such unutilized leave salary and gratuity as due and admissible to the deceased husband of the petitioner have not been paid.

This Court shall be apprised the reasons for not disbursing the admissible dues, if any, to the deceased husband of the petitioner by next date.

Copy of the order be uploaded in the official website.

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