

2 30.06.2020

This matter is taken up through Video conferencing.

Heard the submission of learned counsel for the petitioner and the submission of Sri Rath, learned Addl. Standing Counsel for the School & Mass Education Department, who vehemently opposes the submission of learned counsel for the petitioner.

This writ petition involves the following prayer:

“Under the above circumstances, it is humbly prayed that the writ application be allowed;

A n d

- (a) a writ of mandamus or an appropriate writ be issued commanding the O.Ps to allow the petitioner to avail the benefit of G.P.F. under the old rules so also a further declaration be made that he is covered by the Orissa Civil Services (Pension) Rules, 1992 prior to its amendment by taking into account his initial date of appointment keeping in view the decisions held by the Punjab and Haryana High Court in Harbans Lal v. The State of Punjab and Ors., (CWP No.2371 of 2010, decided on 31.8.2010) which has been upheld by the Hon'ble Apex Court in SLP(C) No.23578 of 2012 (SLP(C)..CC No.17901 of 2011) disposed of on 30.7.2012 (State of Punjab and Ors. Vrs. Harbans Lal) and also in the case of Jeewan Lata v. State of Punjab and others, CWP No.10238 of 2017 (O & M) decided on 10.5.2019 with all consequential benefits.

A n d

- (b) any other order/orders or direction/directions be issued so as to give complete relief to the petitioner.”

For the nature of relief sought for and for pendency of the representation at the instance of the petitioner vide Annexure-4 on the selfsame grounds, this writ petition is not entertainable at

this stage and the same stands disposed of directing O.P.1 to look into the request of the petitioner vide Annexure-4 and take decision taking into account the development through Annexure-3 series within a period of one and half months from the date of communication of this order so also copy of the writ petition by the petitioner within seven days, as undertaken.

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BISWANATH RATH,J