

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 8278 of 2023

*Avinna Kumar Mohapatra*

.....

*Petitioner*

*Mr. R.K. Pattnaik, Advocate.*

Vs.

*State of Odisha and others*

.....

*Opposite Parties*

*State Counsel*

**CORAM:**

**DR. JUSTICE B.R. SARANGI**

**MR. JUSTICE M.S. RAMAN**

**ORDER**

**31.03.2023**

**Order No.**

01.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to include the petitioner under the old General Provident Fund (Orissa) Rule, 1938 and the provisions of OCS (Pension) Rules, 1992 and give all the consequential financial and service benefits accrued out of the same to him within a stipulated period as deemed just and proper.

4. In course of hearing, learned counsel for the petitioner states that the case of the petitioner is squarely covered by the decision of this Court in the case of *Anand Dash v. State of Odisha*, 2014 (Supp.-1) OLR 754 and therefore, the petitioner may be permitted to file a fresh representation before the authority concerned highlighting the grievances and direction may be given to consider the same in terms of the ratio decided in the case of *Anand Dash* (supra) and also Annexure-4 to the writ petition, within a stipulated time, to which learned counsel for the State has no objection.

5. As agreed to by learned counsel for the parties, however, without expressing any opinion on the merits of the case, this writ petition stands disposed of with the direction that in case the petitioner, with regard to the grievance made in this petition, files a fresh comprehensive representation before the authority concerned, within fifteen days hence, the said authority shall consider the same and pass a reasoned and speaking order taking into consideration the ratio decided in the case of *Anand Dash* (supra) and also Annexure-4 to the writ petition, as expeditiously as possible, preferably within a period of three months from the date of receipt of such representation along with the certified copy of this order.

6. Issue urgent certified copy as per rules.

**(DR. B.R. SARANGI)**  
**JUDGE**

**(M.S. RAMAN)**  
**JUDGE**

Ashok/MRS

