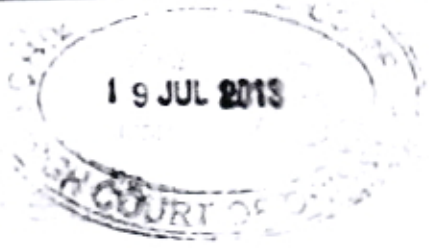


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IN THE HIGH COURT OF ORISSA: CUTTACK

(ORIGINAL JURISDICTION CASE)

W.P. (C) No. 16425 Of 2013

Code No: 311900
310799

27/4
178-192000

In the matter of:

An application under Article 226 and 227 of the Constitution of India;

And

In the matter of:

An application for quashing of the Office order No.25251 dated 3.6.2013 of the Director under Annexure-9 and for a direction to the opp.parties to grant the pension and other retired benefits to the petitioner as he is entitled to the same under the Orissa Aided Educational Institutions' Employees Retirement Benefit Rules, 1981 w.e.f. 1.5.2010.

And

In the matter of:

Sri Sarat Chandra Parida, aged about 63 years, son of late Kulamani Parida, Village-Manapur, P.O./P.S./Dist.-Jagatsingpur.

.... **Petitioner**

-Versus-

1. State of Odisha, represented through its Secretary to Government, Department of Higher Education, Odisha, Bhubaneswar, District- Khurda.
2. Director, Higher Education, Odisha, Bhubaneswar, Dist.-Khurda.
3. Governing Body of Swami Vivekananda Memorial College, At/PO/Dist.-Jagatsingpur, represented through its Principal



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HIGH COURT OF ORISSA : CUTTACK

W.P.(C) No.16425 of 2013

An application under Articles, 226 and 227 of the Constitution of India.

Sri Sarat Chandra Parida Petitioner.

Versus.

State of Odisha and others opp.parties.

For Petitioner : M/s. Sameer Ku. Das & S.K. Mishra.

For opp.parties : Additional Standing Counsel.

PRESENT

THE HON'BLE SHRI JUSTICE B.K.NAYAK

Date of hearing : 25.03.2014 : Date of judgment: 08 .05.2014

B K NAYAK, J.

In this writ petition the petitioner has prayed for quashing the order dated 03.06.2013 under Annexure-9 passed by the Director, Higher Education, Orissa, Bhubaneswar, with a further prayer to direct the opposite parties to sanction and pay the pensionary benefits to him.

2. The petitioner's case is that vide order dated 15.07.1975 of the Governing Body of Swami Vivekananda Memorial College, Jagatsinghpur, he was appointed as a Peon (Cycle Stand Guard) by the Governing Body following due process of selection. Vide office order dated 25.02.1982 (Annexure-3) the petitioner was appointed against a substantive post of Peon in the scale of pay of Rs.200-2-202-3-250. After such appointment, he was directed to work in the College Library as Library Attendant as per order dated 25.02.1982 under Annexure-4. It is the further case of the petitioner that Swami Vivekananda Memorial

