

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP (C) No. 220 of 2022

Sudarsan Behera

....

Petitioner

Mr. U.C. Mohanty, Advocate

-Versus -

State of Odisha and Ors.

....

Opp. Parties

*Mr. S.N. Nayak,
Addl. Standing Counsel for the State*

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

05.01.2022

Order No.

01

This matter is taken up through hybrid mode.

2. Heard Mr. U.C. Mohanty, learned counsel for the petitioner and Mr. S.N. Nayak, learned Addl. Standing Counsel for the State.

3. The petitioner has filed this writ petition seeking to quash the office order dated 23.12.2021 under Annexure-4 and to issue direction to the opposite party no.1 to consider his representation vide Annexure-8 series to allow him to continue to function as Weaving Supervisor in the office of opposite party no.2 up to 28.02.2022, when he is going to retire from service on attaining the age of superannuation.

4. Learned counsel for the petitioner contends that highlighting the grievances, the petitioner has made a representation to opposite party no.1 vide Annexure-8 series, to allow him to continue as Weaving Supervisor in the office

of opposite party no.2 up to 28.02.2022, when he is going to retire from service on attaining the age of superannuation. Therefore, the same may be directed to be considered by opposite party no.1 within a stipulated time, keeping in view the guidelines dated 29.07.1991 under Annexure-7 of the G.A. Department. To such submission, learned counsel for the State has no objection.

5. As agreed to by learned counsel for the parties and keeping in view the peculiar facts and circumstances of the case, this Court disposes of the writ petition directing opposite party no.1 to consider the representation filed by the petitioner vide Annexure-8 series and pass appropriate order in accordance with law, keeping in view the guidelines dated 29.07.1991 under Annexure-7 of the G.A. Department, within a period of ten days from the date of production of certified copy this order. Needless to mention, while considering the presentation of the petitioner, the opposite party no.1 shall also keep in view the fact that the petitioner has hardly two months to retire from service on attaining the age of superannuation and that he is undergoing treatment at Bhubaneswar Capital Hospital and it may not be always possible on his part to avail treatment from his treating doctor by undertaking journey of 200 Kms from the proposed place of transfer,

Issue urgent certified copy as per rules.

(Dr. B.R. Sarangi)
Judge

Ashok