

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1910 of 2022

Bula Dakua

....

Petitioner

Mr. B.R. Maharatha, Advocate
-versus-

Registrar and others

....

Opposite Parties

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
15.03.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner at the stage of admission.
3. Considering the limited nature of grievance, the writ petition is disposed of at the stage of admission without issuing notice to the Opposite Parties. However, it is open for the Opposite Parties to seek modification of order dated 04.06.2021, in the event it found that the order is not consistent with law or fact at this stage.
4. The present writ petition has been filed by the petitioner with the following prayer:-

“ Under the aforesaid facts and circumstances, it is therefore most humbly prayed that this Hon’ble Court may graciously be pleased to admit this writ petition, issue Rule Nisi calling upon the Opp.parties

most particularly the Branch Manager, Berhampur Central Co-operative Bank Ltd., Beguniapda Branch, Ganjam-Opp.party No.4 as to why a writ in the nature of mandamus shall not be issued to quash the letter dt.20.11.2021 (Annexure-3) as illegal and void and be further pleased to direct the said Opp.party No.4 to release the salary of the petitioner covered under the cheque dated 10.11.2021.

And pass any other order/orders as deemed fit and proper in the facts and circumstances of the case.”

5. It is submitted by learned counsel for the petitioner that the petitioner is not getting his salary although he is working as Secretary-in-Charge, Sandhamula Primary Agriculture Co-operative Society, Ltd. referred to as PACS Ltd, however, they are not getting their salary regularly. He further submits that cheque was issued by the Secretary of PACS dishonoured by the Bank. In this regard, the petitioner was allowed to work in the aforesaid Co-operative Society vide order dated 18.02.2013 passed by the Assist. Registrar, Co-operative Societies, Chatrapur Circle, Chhatrapur Opposite Party No.2. Again the said Opp.Party by its order dated 29.09.2014 has accorded administrative approval for promotion of the petitioner for the post of Secretary of the PACS Ltd. to take steps for relief in favour of the petitioner. However, no action has been taken till date. It is further submitted by learned counsel for the Petitioner that ventilating the grievances, he has filed a representation before the Assistant Registrar of Cooperative Societies, Chhatrapur Circle, Chhatrapur under Annexure-6, which is pending before him for disposal. However, no decision has been taken on such representation as of now.

6. Considering the submissions made by learned counsel for the parties, limited nature of grievance of the Petitioner, this Court disposes of the writ petition with a direction to the Administrator of the Sandhamula PACS Ltd,-Opposite Party No.3 to consider the representation of the Petitioner dated 24.11.2021 under Annexure-4 in accordance with law within a period of one month from the date of production of certified copy of this order. It is needless to mention here that the representation of the Petitioner shall be considered by passing a speaking and reasoned order on the same. If the petitioner is entitled to get his salary, the same shall be released immediately without any further delay. Any decision taken on the same shall be communicated to the Petitioner within a period of ten days thereafter.

7. With the aforesaid direction, the writ petition stands disposed of.

8. Urgent certified copy of this order be granted on proper application.

