

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 2142 of 2022

Sumit Kumar Sahoo

.....

Petitioner

Mr. C.R. Patnaik, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

27.01.2022

Order No.

1

This matter is taken up through video conferencing mode.

2. Heard.

3. The petitioner has filed this writ petition challenging the decision taken by the RA committee dated 14.12.2020 in view of the recent judgment of the apex Court rendered in the case of the ***State of Madhya Pradesh and others Vs. Ashish Awasthi***, 2021(II) OLR (SC) 1072.

4. In course of hearing, learned counsel for the petitioner states that in view of the aforesaid decision of the apex Court, the petitioner may be permitted to file a fresh representation before opposite party no.1 highlighting the grievances and direction may be given to consider the same within a stipulated time, taking into consideration the ratio decided by the apex Court in the case of ***Ashish Awasthi*** (supra), 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 opposite party no.1, within ten days hence, the said authority shall consider the same and pass a reasoned and speaking order, taking into consideration the ratio decided

by the apex Court in the case of *Ashish Awasthi* (supra), as expeditiously as possible, preferably within a period of three months from the date of receipt of such representation along with the certified/ authenticated copy of this order

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos. 514 and 515 dated 7th January, 2022.

Alok

(DR. B.R. SARANGI, J.)

