

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3513 of 2022

Padmagandha Nanda

....

Petitioner

Mr. Saroj Ku. Jee, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Sangram Jena, S.C., S & ME

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.02.2022

Order No.

01.

1. This matter is taken up through Hybrid arrangement (virtual/physical mode).
2. The Petitioner in the present writ petition has prayed for a direction to the Opposite Parties to count the service period from 16.02.1999 to 09.11.2011 and all other service benefits be released in favour of the Petitioner within a stipulated period of time.
3. Learned counsel for the Petitioner submits that this case is covered by the decision of this Court that the relief sought for by the Petitioner has been allowed by this Court in the case of similarly situated other employees. In the aforesaid context, he relies upon the order of this Court dated 01.10.2021, passed in W.P.(C) No.29357 of 2021, wherein the judgment of this Court dated 05.03.2020 passed in W.P.(C) No.10071 of 2018 has been relied upon.
4. Learned counsel appearing for the School & Mass Education Department submits that he has no objection to the prayer made by

the Petitioner. However he submits that Petitioner may file a fresh representation before the Opposite Party No.2 for redressal of his grievance.

5. Considering the facts and circumstances of the case, this Court disposes of the writ application with a direction to the Petitioner to file a fresh representation along with a copy of the order/judgment relied on by the Petitioner to the Director, Elementary Education, Odisha, Opposite Party no.2 within a period of two weeks from today. In such event, the Opposite Party No.2 shall consider and dispose of the same in accordance with law by passing a reasoned and speaking order within ten weeks from the date of filing of representation. The decision so taken on the representation of the Petitioner be communicated to the Petitioner within ten days thereafter.

6. It is made clear that this Court has not expressed any opinion on the merits of the case.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rule.

(A.K. Mohapatra)
Judge